





# City of Loma Linda Official Report

Floyd Petersen, Mayor  
Stan Brauer, Mayor pro tempore  
Robert Christman, Councilmember  
Robert Ziprick, Councilmember  
Charles Umeda, Councilmember

COUNCIL AGENDA: July 26, 2005

TO: City Council

VIA: Dennis R. Halloway, City Manager 

FROM: Deborah Woldruff, AICP, Community Development Director 

SUBJECT: APPEAL NO. 2005-01- AN APPEAL OF THE PLANNING COMMISSION DECISION TO DENY CONDITIONAL USE PERMIT (CUP) NO. 2005-01 (LOMA LINDA APARTMENTS)

## RECOMMENDATION

The recommendation is that the City Council reverse the Planning Commission's denial of the project and take the following actions:

1. Adopt the Mitigated Negative Declaration (Attachment A);
2. Approve Appeal (AP) No. 05-01, and reverse Planning Commission's decision to Deny Conditional Use Permit (CUP) No. 05-01, based on the Findings and Conditions of Approval (Attachment B).

## BACKGROUND

The proposed 40-unit residential project is for a 3.39-acre site, west of the existing Heritage Gardens, 25271 Barton Road (Attachment C). Access is off of Barton Frontage Road, west of Benton Street. The public hearing dates were as follows:

- March 2, 2005- The project was heard by the Planning Commission (Attachment D) and continued to April 6, 2005 (Attachment E).
- From April to June, the project was continued multiple times for further analysis.
- June 22, 2005- Planning Commission denied the project based on a vote of 2-2 (Attachment F).
- June 27, 2005- Applicant files an appeal of the Planning Commission decision (Attachment G).

## **ANALYSIS**

The applicant is proposing to develop a 3.39-acre site with a 40-unit, two bedroomn apartment complex. The project complies with the existing General Plan designation of Medium Density Residential. In addition, the project complies with the R3, Multiple Family Residence Standards and Planned Development (PD) Overlay Zone.

The applicant provided information pertaining to their community outreach meeting that took place on May 22, 2005. The June 22, 2005 Staff Report addresses the meeting, the project and community concern to prevent westbound traffic from Barton Frontage Road going into the residential neighborhood to the west. The Draft Planning Commission Meeting Minutes of June 22, 2005 have been provided for review (Attachment H).

The residents are concerned with three main issues.

### 1) Traffic impacts

The applicant has provided a traffic study dated October 26, 2004 from Willdan Incorporated, signed by a California registered Traffic Engineer. In addition, an addendum to the traffic study was submitted dated March 21, 2005. It states that the project would generate 270 daily trips and it is anticipated the proposed 40-unit apartment complex would not cause a significant traffic impact to the area. The traffic report details the intersection of Barton Road at Benton Street and the conflict with the proximity to the intersection of Barton Frontage Road at Benton Street. At public hearing, concern with this problem intersection has been raised by numerous residents in regards to project traffic issues. This project does not add to the problem in any measurable way.

The Public Works and Fire Department have no issues with the design and traffic study provided. Additionally, a Cul-de-Sac concept at Barton Frontage Road was considered and found not feasible based on emergency services access to the area and is detailed in the June 22, 2005 staff report.

### 2) Crime

In regards to the issue of crime, concern was expressed about bringing in the wrong element with renter occupied housing. The applicant has stated that rents will average approximately \$1,400 a month (Attachment I). The project is for market rate rentals and no provision is made to accommodate low-income housing. The project is laid out with approximately 27,000 square feet of open space and clear line-of-site into the project site. The project will also incorporate exterior lighting throughout the site for security purposes with shielding to prevent light spillage into adjacent properties.

### 3) Loss of property values

Several residents were concerned about their homes losing property value if the apartment project were to become a reality. However, no substantiated evidence has been provided to

support this claim. Loss of property values is not anticipated with the development of the subject parcel.

Two letters of opposition have been sent in since the June 22<sup>nd</sup> Planning Commission meeting. On June 19, 2005, Judith Strutz of 11451 Hillcrest Street wrote stating her concern for traffic issues. On June 20, 2005, a letter was received from Lillian and Victor Miller concerned with issues stated above (Attachment J). A letter proposing three alternative uses for the subject property that was signed by 46 residents of the neighborhood to the west was given to the Planning Commission at their meeting on June 22, 2005. All the letters that have come in opposition to the project were forwarded to the Planning Commission and have been referenced in the previous staff reports.

### **ENVIRONMENTAL**

On March 2, 2005 a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration and Initial Study were prepared and released for public review. The California Environmental Quality Act (CEQA) mandatory 20-day public review period began on February 11, 2004 and ended on March 2, 2005. All of the potential impacts that were identified in the Initial Study can be mitigated to below a level of significance. The mitigation measures are included as project Conditions of Approval. Therefore, the project can be approved with a Mitigated Negative Declaration in accordance with the requirements of CEQA.

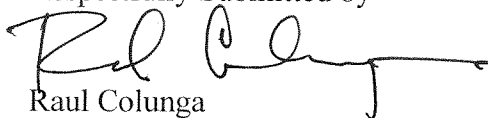
### **FINDINGS**

The recommended findings for this project are contained in the April 6, 2005 Staff Report (see Attachment D).

### **FINANCIAL IMPACT**

The proposed project will pay its fair share of the City's Development Impact Fees, which is estimated at approximately \$12,000 per dwelling unit. In addition, the project will be subject to Plan Check fees, Building Permit fees, Grading Permit fees, and Fire Plan Check/Inspection fees. The project site is located outside of the Redevelopment Project Area and as such, there are no requirements for affordable housing.

Respectfully Submitted by



Raul Colunga  
Assistant Planner

### **ATTACHMENTS**

- A. Mitigated Negative Declaration
- B. Conditions of Approval
- C. Project Site Plan and Elevations

- D. March 2, 2005 Planning Commission Staff Report & meeting minutes
- E. April 6, 2005 Planning Commission Staff Report
- F. June 22, 2005 Planning Commission Staff Report
- G. Applicant's letter of requesting appeal
- H. Draft Planning Commission Meeting Minutes of June 22, 2005
- I. Heritage Gardens Project Information
- J. Letters of Opposition

*I:\Project Files\CUP\05-01 Mark Goings\PPD 04-12 Mark Goings\07-26-05CC SR appeal.doc*



# **Attachment A**

**Mitigated Negative Declaration (NOI/Initial Study)**



DATE FILED & POSTED

**CITY OF LOMA LINDA  
COMMUNITY DEVELOPMENT DEPARTMENT**

25541 Barton Road, Loma Linda, CA 92354  
(909) 799-2830

## INITIAL STUDY

### A. BACKGROUND

Project Title: General Plan Amendment No. 04-05, Zone Change (ZC) No. 04-05 and Conditional Use Permit No. 05-01

Lead Agency: City of Loma Linda Community Development Department  
25541 Barton Road  
Loma Linda, California 92354

Lead Agency Contact Person: Raul Colunga, Assistant Planner Phone: (909) 799-2830

Project Location: The 3.4 project site is on the Barton Frontage Road, west of the Heritage Gardens Nursing Facility, 25271 Barton Road (APN # 284-191-24)

Project Sponsor's Name and Address: Mark Goings & ACGL Corporation  
27951 Town Center  
Foothill Ranch, CA 92610

General Plan Designation: Very High Density Residential (5.1-9 DU/AC-existing), High Density Residential (13.1-20 DU/AC-proposed)

Zoning Designation: R3 Multiple Family Residential

Project Description: The applicant proposes a General Plan Amendment from Very High Density to High Density Residential, a Zone Change from 5.1 to 9 dwelling units per acre to 13-20 dwelling units per acre and a Precise Plan of Design for a 60-unit, apartment complex, with three story buildings and recreational amenities.

Surrounding Uses:

North: Multiple Family Residence East: Institutional  
South: Multiple Family Residence West: Single Family Residence

Other public agencies whose approval is required:

- |  |  |
|--|--|
| <input type="checkbox"/> San Bernardino County LAFCO                 | <input type="checkbox"/> City of Redlands      |
| <input type="checkbox"/> San Bernardino County Health Care Agency    | <input type="checkbox"/> City of Colton        |
| <input type="checkbox"/> South Coast Air Quality Management District | <input type="checkbox"/> San Bernardino County |
| <input type="checkbox"/> Other                                       |  |

## B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist in Section D below.

- |   |  |
|---|--|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Agriculture Resources     |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Biological Resources      |
| <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils             |
| <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology/Water Quality   |
| <input type="checkbox"/> Land Use/Planning                  | <input type="checkbox"/> Mineral Resources         |
| <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing        |
| <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                |
| <input type="checkbox"/> Transportation/Traffic             | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance |  |

## C. DETERMINATION:

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects 1) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and 2) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.
- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects 1) have been analyzed adequately in an earlier NEGATIVE DECLARATION pursuant to applicable standards, and 2) have been avoided or mitigated pursuant to that earlier NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project.

Preparer: \_\_\_\_\_

Raul Colunga

*Raul Colunga*

(name)

Title Assistant Planner

Date 2/10/05

## D. EVALUATION OF ENVIRONMENTAL IMPACTS

### *Directions*

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors and general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including off-site, on-site, cumulative project level, indirect, direct, construction, and operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, and EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

## EVALUATION OF ENVIRONMENTAL IMPACTS

### I. AESTHETICS – Would the project:

- a) Have a substantial adverse effect on a scenic vista?
- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- c) Substantially degrade the existing visual character or quality of the site and its surroundings?
- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**II. AGRICULTURE RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**III. AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**IV. BIOLOGICAL RESOURCES:** - Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**V. CULTURAL RESOURCES:** - Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- d) Disturb any human remains, including those interred outside of formal cemeteries?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**VI. GEOLOGY AND SOILS:** - Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **VII. HAZARDS AND HAZARDOUS MATERIALS:**

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VIII. HYDROLOGY AND WATER QUALITY:** – Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**IX. LAND USE AND PLANNING** – Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**X. MINERAL RESOURCES** – Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XI. NOISE** –

Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excess noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XII. POPULATION AND HOUSING** – Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **XIII. PUBLIC SERVICES**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### **XIV. RECREATION –**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

☐ ☐ ☒ ☐

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

☐ ☐ ☐ ☒

### **XV. TRANSPORTATION/TRAFFIC –** Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

☐ ☐ ☒ ☐

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

☐ ☐ ☒ ☐

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

☐ ☐ ☐ ☒

d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

☐ ☐ ☐ ☒

e) Result in inadequate emergency access?

☐ ☐ ☐ ☒

f) Result in inadequate parking capacity?

☐ ☐ ☐ ☒

	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **XVI. UTILITIES AND SERVICE SYSTEMS –**

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**ATTACHMENT A**  
**EVALUATION OF ENVIRONMENTAL CHECKLIST**

*General Plan Amendment No. 04-05*

*Zone Change No. 04-05*

*Conditional Use Permit No. 05-01*

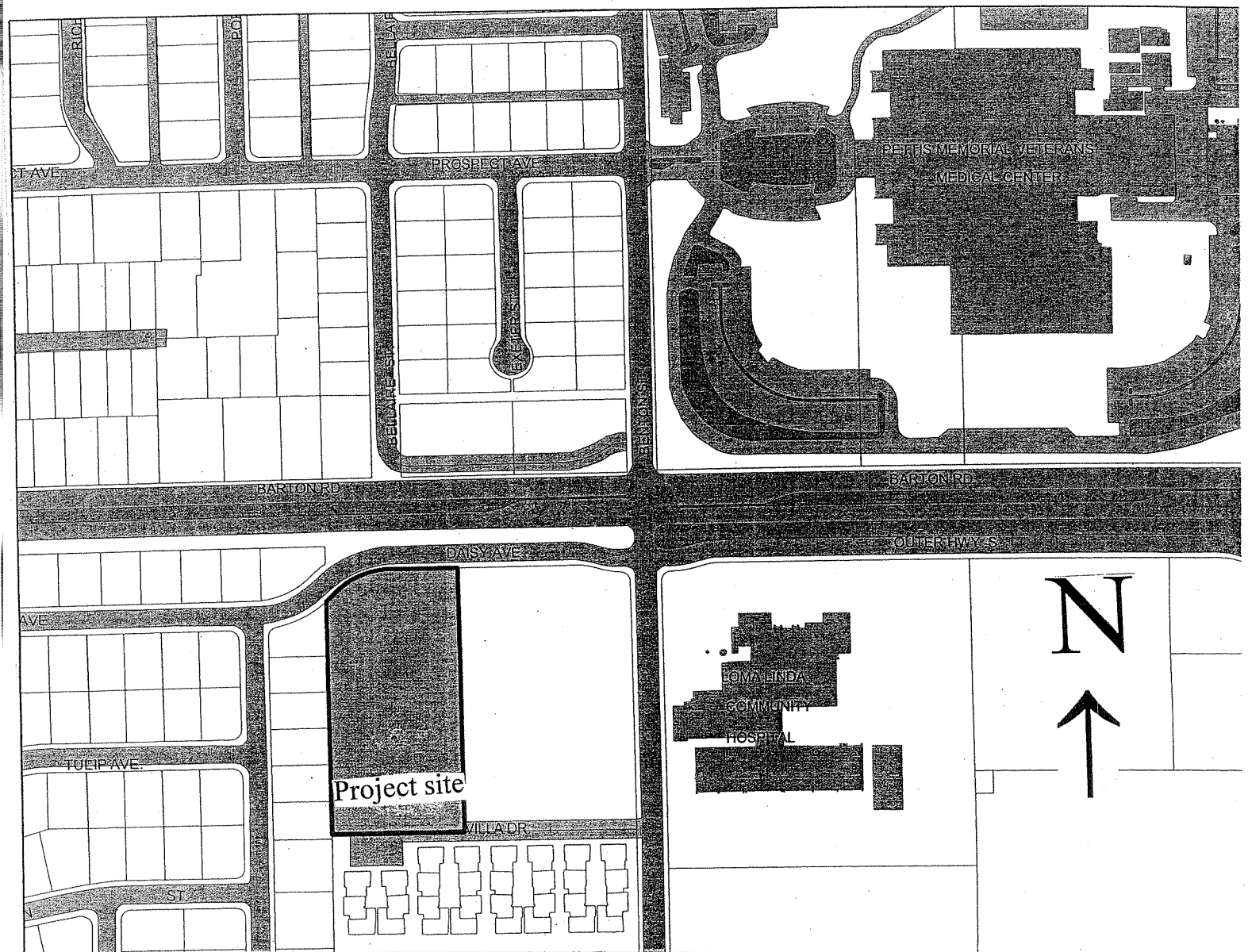
**BACKGROUND**

The project site is approximately a 3.39-acre parcel and is located on the Barton Frontage Road, west of the intersection of Barton Road at Benton Street. The applicant proposes a 60-unit market rate, apartment complex in five, three story buildings. The proposal includes an amendment to the General Plan Land Use Map from Very High Density to High Density Residential. A Zone Change is requested from Multiple Family Residence (5.1-9 dwelling units per acre) to High Density (13.1-20 dwelling units per acre). The proposal includes a Conditional Use Permit to exceed the maximum building height above two stories for multiple family residential development. The proposed project is outside the City Redevelopment Project Area. The subject property is immediately west of the Heritage Gardens Health Care Center located at 25271 Barton Road. Single-family homes are to the west of the site and multi-family residences are to the south.

The project site is a remnant parcel that has been vacant for over 50 years. The proposed project will be consistent with the permitted uses set forth in the City of Loma Linda General Plan. The Initial Study identifies and discusses that there are no impact categories having a potential impact that cannot be mitigated to a level of insignificance.

The City has prepared a Draft General Plan, dated October 2004. Action to approve the zone change will be based upon the General Plan that is in place at the time the tentative map is accepted for processing. Therefore, the policies referenced within this initial study relate to the existing General Plan. In certain circumstances portions of the Draft General Plan have been referenced because it contains information that represents existing conditions, rather than proposed policies or programs.

Exhibit 1  
Vicinity Map



# Exhibit 2 Site Plan

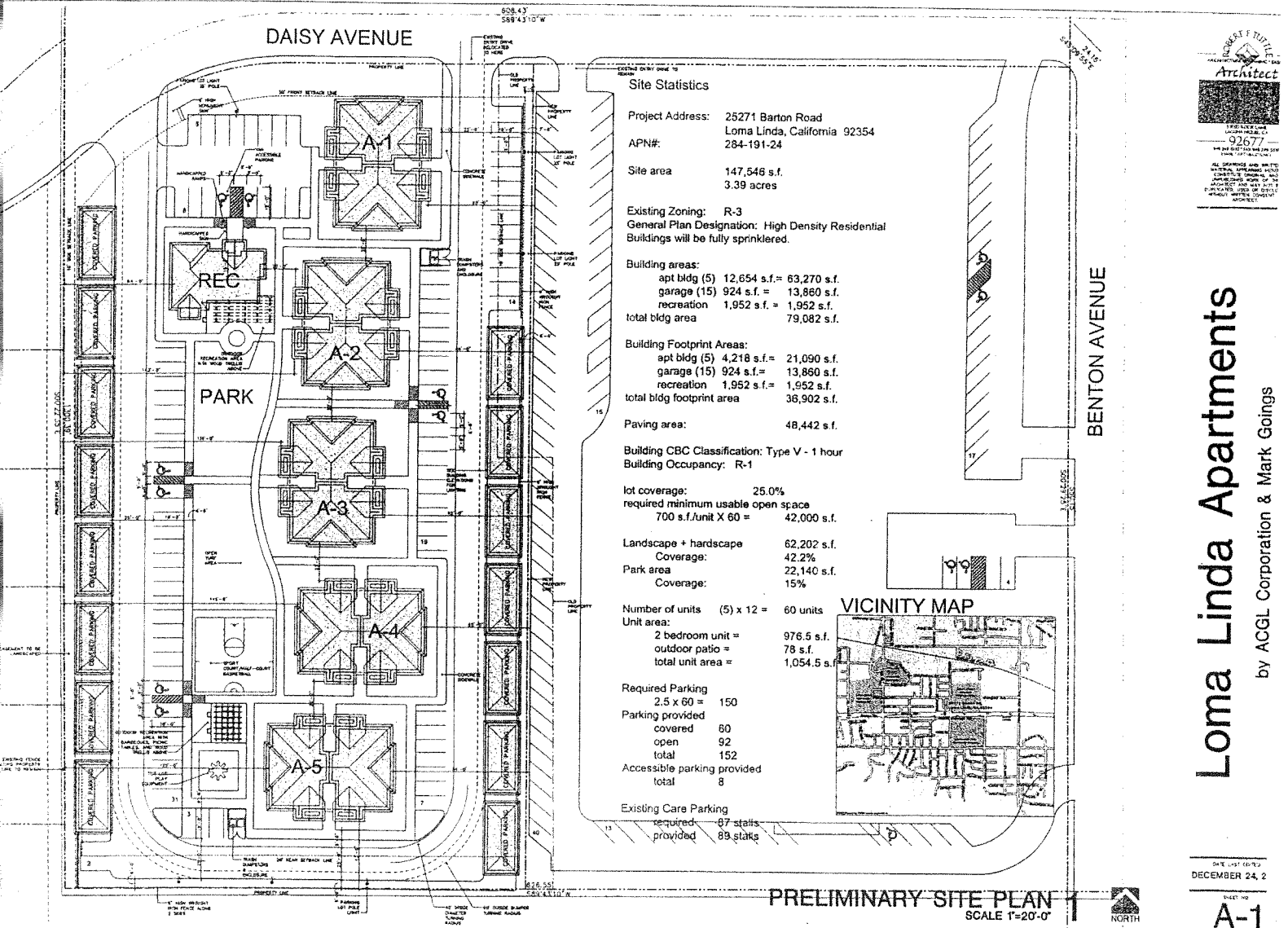
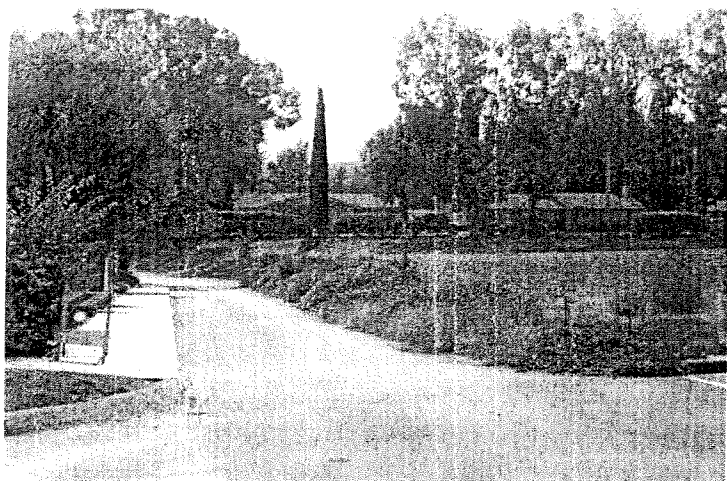


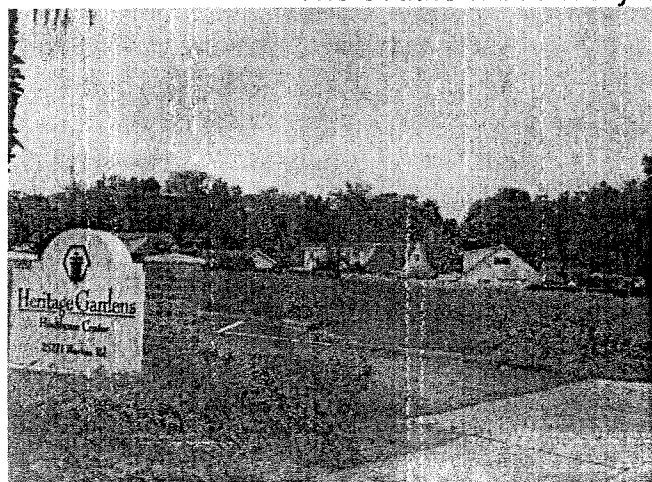
Exhibit 3  
Photos of Site



Looking at the southeast portion of project site

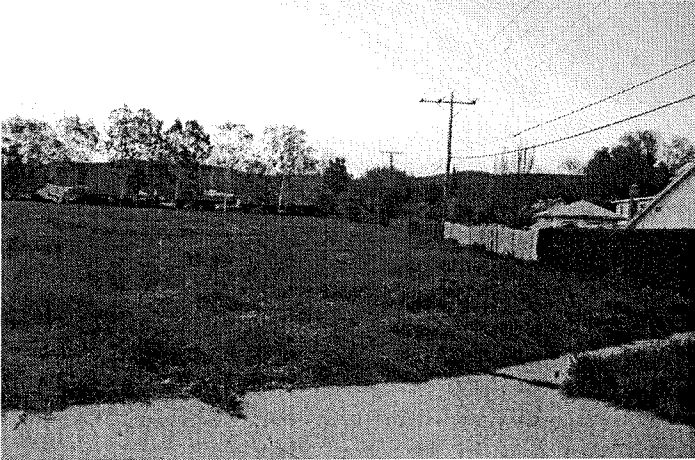


The southern boundary of the project site



View from the Barton Frontage Road

Exhibit 3  
Photos of Site



The adjacent single family homes to the west



Looking southwest towards project site



## 1) AESTHETICS

a), b) & c)– No Impact: The proposed development of 60, two bedroom apartments and recreation building will not have an adverse impact upon scenic vistas, substantially damage scenic resources or substantially degrade the existing visual character of the site. Development has occurred around the subject property, which has been vacant for over 30 years. The project architecture is a modern interpretation of Spanish Mediterranean design.

The development area is slightly sloping from the south to the north and is not listed as a scenic corridor. The project area is not located within or near a State Scenic Highway as identified in the City of Loma Linda General Plan.

d) – Less Than Significant Impact: The proposed project of five, three-story apartment buildings would incrementally add to the overall amount of light in the area; however, all street lighting will be directed and designed to minimize glare. Development will include extensions of streetlights to provide safety and security. No spotlighting or flood lighting will be used on the development site either prior to, during, or following construction. Therefore, no adverse affect on nighttime views will occur.

## 2) AGRICULTURAL RESOURCES

a), b) & c) – No Impact: The proposed project will be located on an approximately 3.39 acre parcel surrounded by institutional uses, single family homes, and multi family residences. The neighborhood surrounding the project site to the south and west developed as residential starting in the mid 1960's and early 70's. There are no known Williamson Act contracts on the property. No impacts will occur to any agricultural uses or farmland in the immediate vicinity.

## 3) AIR QUALITY

a) Less than significant impact. The project area is located within the South Coast Air Basin of Southern California and within the jurisdiction of the South Coast Air Quality Management District. The proposed project is presumed to be incorporated into the Air Quality Management Plan (AQMP), prepared by the South Coast Air Quality Management District (SCAQMD), since the latest AQMP is dated 1997 and the various elements of the City's General Plan were adopted between 1973 and 1992, prior to the preparation of the 1997 AQMP. Therefore, the assumptions contained within the latest AQMP are based upon the plans and policies contained in the City's existing General Plan. As such, the proposed project will not conflict with or obstruct implementation of the latest air quality management plan.

b) and c) Less than significant impact. The proposed project was evaluated for construction and operational emissions utilizing information provided by the applicant and the URBEMIS 2002 air quality program from the South Coast Air Quality Management District. The overall construction period is estimated at 16 months, with grading lasting 1.2 months, using the program's default value. The formula also divides each component of development, such as home construction and architecture (painting), into separate segments. However, both activities may occur simultaneously within different portions of the project site. In addition, occupancy of some housing may occur while construction is on going in other portions of the site. Therefore, the time identified for painting (2.5 months) may seem excessive, but better characterizes the extended period for this operation. This expanded period explains, in part, why the construction period was expanded to 16 months rather than using a one-year period as a more general time frame. However, the actual construction period will be predicated upon the rate of home sales. While some of the variables used to estimate emissions may change they provide a starting point upon which to evaluate the proposed project.

Air emissions were evaluated using three (3) separate activity phases: Site grading, site construction, and project operation. No site demolition is required. The calculations for each phase are listed below.

*Table No. 1*

Estimated Short-Term Emissions for Site Grading Activities

<i>Pollution Source</i>	<b>ROG</b>	<b>NOx</b>	<b>CO</b>	<b>SOx</b>	<b>PM<sub>10</sub></b>
Grading	5.34	41.20	42.88	0.11	9.6
SCAQMD Thresholds	75	100	550	150	150

Note: All units are in pounds per day.

This grading calculation does not include methods to reduce PM<sub>10</sub> emissions, such as site watering or soil stabilizers, which are standard measures undertaken to reduce emission. According to the *CEQA Air Quality Handbook*, PM<sub>10</sub> emissions can be reduced between 30 and 68 percent with these measures.

*Table No. 2*

Estimated Short-Term Emissions During the Construction Period

<i>Pollution Source</i>	<b>ROG</b>	<b>NOx</b>	<b>CO</b>	<b>SOx</b>	<b>PM<sub>10</sub></b>
Equipment	6.02	48.68	42.53	2.24	0.
Commuting Traffic	0.44	0.54	10.15	0	0.02
Coating Applications	38.60	-	-	-	-
Asphalt Offgassing	0.19	27.68	25.34	-	-
Emissions Totals	45.25	76.9	78.02	2.24	.02
SCAQMD Thresholds	75	100	550	150	150

Note: All units are in pounds per day.

Table No. 3  
Estimated Long-Term Project-Related Emissions (Operation)

<i>Pollution Source</i>	<b>ROG</b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>SO<sub>x</sub></b>	<b>PM<sub>10</sub></b>
Mobile Emissions	4.61	4.40	50.93	0.05	4.10
Natural Gas Consumption	0.03	0.45	0.19	-	0.00
Landscaping Emissions	0.07	0.01	0.53	0.00	0.00
Consumer Products	2.94	-	-	-	-
Emissions Totals	7.65	4.86	51.65	0.05	4.10
SCAQMD Thresholds	55	55	550	150	150

Note: All units are in pounds per day.

Table 9-5 of the *CEQA Air Quality Handbook* identifies levels of significance for a sample 210-unit single-family development project. Although the sample project exceeds CO levels by approximately 150 lbs. or 27 percent for daily operation emissions, the sample project is almost three (3) times the size of the proposed project.

Based upon these calculations the proposed project will not exceed adopted air quality standards or substantially contribute to air quality violations. The proposed project is not anticipated to result in a cumulatively considerable net increase of any criteria pollutant due to the project's consistency with the City's existing General Plan and the adopted air quality plan. Standard mitigation measures will reduce the project impacts to less than significant levels.

d) and e) Less than significant impact. Single-family residences surround the project site. The *CEQA Air Quality Handbook* identifies uses considered to be sensitive receptors as including residences, schools, long-term health care facilities, childcare centers, and other similar uses. (Figure 5-1, p. 5-7) It is acknowledged that construction related activities would result in dust, construction equipment emissions, and odors from the application of some materials. It is also expected that surrounding residences could be affected in some manner by these activities. However, these construction related activities will be short-term in nature and the odors generated during construction will be an annoyance rather than a health hazard. The potential impacts are not expected to be adverse.

#### 4) BIOLOGICAL RESOURCES

a) No impact. A Phase I Environmental Assessment prepared by Soils Southwest, Incorporated dated July 29, 2004 indicates no major environmental concerns. It is not anticipated that the proposed project will have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional

plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

b) and c) No impact. There will be no substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service as a result of the development of the proposed project. The subject property has no wetland areas and therefore will not have an impact upon federally protected wetlands.

d) No impact. The project is not anticipated to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. As noted above, the site is highly disturbed within an urbanized area and there is no significant wildlife corridor observed on the project site.

e) No impact. The past disturbance and use of the adjacent sites for residential development has eliminated any native vegetation and sensitive species on site. The current vegetation is mostly annual grasses. The development of this property will not conflict with local policies protecting biological resources.

f) No impact. Given the lack of significant habitat established on this property there will be no impact or conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

## 5) CULTURAL RESOURCES

a) No Impact. The project site has been vacant of structures and mature vegetation for over 50 years and therefore development will not cause a substantial adverse change in the significance of a historical resource as defined in California Environmental Quality Act (CEQA) Guidelines Section 15064.5. No further historical or archaeological investigations are necessary for the project. The proposed project will comply with the policies and requirements of the Draft and existing Loma Linda General Plans.

b),c) & d)- Less than significant impact. The project site is not anticipated to contain any human remains. If any are encountered, construction will be halted and the San Bernardino County Coroner shall be immediately advised. Work shall not resume until the Coroner has approved resumption of activities.

## 6) GEOLOGY & SOILS

a) Less than significant impact. The project site is not located within or immediately adjacent to a fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. No faults are known to pass through the project site. The San Jacinto Fault

is approximately two miles south of the project site. The 60-unit apartment project will not expose people or structures to substantial adverse effects involving seismic-related ground failure, including liquefaction. The proposed apartment project will not expose people or structures to substantial adverse effects involving landslides.

b) No impact. It is not anticipated that the development of this site will contribute to significant soil erosion or loss of topsoil. Some erosion will occur as a result of grading and the construction process, however the implementation of Best Management Practices for erosion and sediment control will result in a less than significant impact in this area.

c) No impact. A Soils Study by Soils Southwest dated August 20, 2004 indicates the project site is located outside of a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

d) No impact. There is no evidence that the project site is located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. The Soils Report from Soils Southwest Incorporated, assumes a low expansion potential of the project site.

e) No impact. The proposed project site has soils capable of adequately supporting the use of septic tanks or alternative sewer and wastewater disposal systems. The apartment project will be hooked up to the City sewer and water system.

## 7) HAZARDS & HAZARDOUS MATERIALS

a) & b) Less than significant impact. A less than significant impact from hazardous materials transport or use will occur during construction activities at the 3.39-acre project site. Hazardous materials, which may be present during construction, include limited storage of fuel and the storage of paints and solvents common to construction. Quantities of materials stored on site during construction activities will be limited to amounts reasonable and necessary for construction activities and will be stored in a manner consistent with hazardous material storage requirements. Although potentially hazardous materials may be on site, the quantities and use of these materials is routine and will not pose a threat to surrounding areas or the public in general.

c) Less than significant impact. The Loma Linda Academy is approximately a mile northwest of the development site. The Loma Linda University and Medical Center are approximately a half mile west of the project site and Community Hospital is 500 feet away; however, this project (residential use) is not expected to result in the emission of hazardous materials that would impact existing schools.

d), e), f), g), and h) No impact. The proposed project is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code

Section 65962.5 (E) and, as a result, it would not create a significant hazard to the public or the environment. Therefore the project proposes no potential threat to introduce any significant adverse impact with relation to this issue.

The project is not within two miles of an airport. The nearest public use airport is the San Bernardino International Airport, approximately five miles north of the project site. No private airstrips have been identified within the vicinity of the project site. The project would not impair implementation of an adopted emergency response plan or emergency evacuation plan. The development would meet all City requirements for fire and other emergency access. The project would not expose people or structures to a risk of loss, injury or death involving wildland fires, the proposed project is not in a wildland fire hazard area.

## 8) HYDROLOGY & WATER QUALITY

a), c), e) and f) Less than significant impact. Development of the project site can potentially cause soil sedimentation and water pollution during grading and construction phases. Operations of the facility, including maintenance and irrigation can also lead to sedimentation and water contamination. An erosion/sediment control plan and a Water Quality Management Plan are required to address on-site drainage control during construction. The intended project will increase the amount of impervious area thus increasing the amount of potential runoff from the site. This increase in runoff will be less than significant and will not exceed the capacity of existing planned Stormwater drainage systems or contribute a significant amount of pollutants to runoff. The proposed project will protect water quality by following the City of Loma Linda's General Plan and will comply with a stormwater pollution prevention plan (SWPPP).

b) and d) Less than significant impact. The proposed project is not anticipated to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. The future residents of the project will consume approximately 34,200 gallons per day of water (171 residents X 200 gallons per day). This is a negligible amount of water use and it is consistent with the planned growth of Loma Linda; therefore no significant impact is expected. The project area is within a core development area of the City and water infrastructure to service the area is already in place. The City of Loma Linda provides water from its own six production wells.

There are no wetlands located on the property. In addition there are no springs nor "Waters of the United States" mapped across the site. There is no evidence of runoff to any of the surrounding streets from the property. No change in drainage pattern or increase in erosion is expected on or off site.

g) and h) Less than significant impact. The Federal Emergency Management Agency's Flood Insurance Rate Map (1996) identifies the project site as lying outside a 500-year

floodplain. The proposed project will not impede or redirect flood flow. The proposed project will comply with the policies and requirements of the Loma Linda General Plan.

i) and j) No impact. The 60-unit apartment project would not expose people or structures to loss, injury or death from flooding, including flooding as a result of the failure of a levee or dam. The project site is not located near a levee or dam. It is not anticipated that the project would result in exposure of people or structures to inundation by seiches, or mudflow. As there are no large bodies of water in the project area there is no risk of inundation by seiche. There is no possibility of inundation by mudflow at the project site. The project site is to be landscaped and construction techniques will be utilized to meet all City grading and compaction requirements. The proposed project will comply with the policies and requirements of the Loma Linda General Plan.

#### 9) LAND USE PLANNING

a) No impact. The 60-unit apartment project would not physically divide an established community. Residential and institutional uses have been developed adjacent to the project site over the past 40 years. The proposed project density of 20 units to the acre complies with the proposed density range of 13.1 to 20 dwelling units per acre in the High Density Residential Zone in the update to the City's General Plan.

b) Less than significant impact. The existing General Plan designation is Very High Density and Zoning designation for the site is Multiple Family Residential. The proposed project includes a General Plan Amendment to reflect the change in maximum density from 9 to 20 dwelling units per acre and a Zone Change to Multiple Family Residence Planned Development. The three story height of the proposed buildings requires a Conditional Use Permit. The proposed project will comply with the policies and requirements of the existing and draft Loma Linda General Plan.

c) No Impact. It is not anticipated that this project will conflict with any conservation plan or natural community conservation plan. The property is not located in any special environmental settings or impact zones e.g. wetlands, endangered species, or natural habitats and thus no impact is expected.

#### 10) MINERAL RESOURCES

a) and b) No Impact. The proposed project is not located in a Mineral Resource Zone (MRZ) area, and does not propose to use non-renewable resources in a wasteful and inefficient manner. No impacts to mineral resources are anticipated.

#### 11) NOISE

a) and b) Less than significant impact. The development of the 60-unit apartment project would increase noise levels in the area, consistent with single and multiple

family residential units. However, these noise levels would not exceed the standards established in the City of Loma Linda Noise Ordinance (Chapter 9.2 of the Loma Linda Municipal Code). The project is to meet the interior noise standard of 45 dba and the exterior noise standard of 65 dba.

c) Less than significant impact. The development of this proposed project would increase ambient noise levels in the area, however, the noise would be consistent with a residential area and would not result in a substantial increase.

d) Less than significant impact. The construction of 60 housing units will cause a temporary rise in the area's noise level to occur during construction; however, the level of noise will not be substantial. The potential for disrupting persons in the vicinity of the project area is apparent due to the developed neighborhood surrounding the project site. During site construction, the project is required to comply with Section 9.20.050 (Prohibited Noises) of the Loma Linda Municipal Code, which requires that construction activities cease between the hours of 6:00 p.m. and 7:00 a.m. No additional mitigation is needed or proposed for short-term noise impacts.

e) and f). No impact. The project is not within two miles of an airport. The nearest public use airport is the San Bernardino International Airport, approximately five miles north of the project site. No private airstrips have been identified within the vicinity of the project site.

## 12) POPULATION & HOUSING

a) Less than significant impact. It is likely that the proposed project will induce population growth in an area, directly by proposing new residential units, but the growth will be less than significant. The project site is approximately 3.3 acres. The project's overall density is twenty (20) units per acre. The proposed project is expected to generate approximately 171 new residents, based on 60 units times an average household size of 2.85 persons per household (2000 US Census).

b) & c) No impact. The proposed project will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. The proposed project site has been vacant for over 50 years. The proposed project will comply with the policies and requirements of the Loma Linda General Plan.

## 13) PUBLIC SERVICES

a) No impact. The project would result in 60 new housing units; however, this would not significantly impact the ability of the City's public services to meet the demands of the public.

The Public Safety Department has reviewed this project and they have the capability of providing service to the site. All residences will be required to install automatic fire



sprinklers and a utility improvement plan will be required of the applicant to show locations of fire hydrants for Public Safety Department review. The San Bernardino County Sheriff's Department provides police protection for the City of Lima Linda. They have reviewed the project and are able to provide services for this project; therefore, there is no impact. Redlands Unified School District has been notified of this project. The applicant will be required to pay school fees to the District. Government services will be provided to all residents in this project.

The project would not create the need for additional public services. The proposed project will not adversely impact other publicly maintained facilities due to the limited size and scope of the project. A standard condition of approval will require the project proponent to pay for development impact fees established for development within the City of Loma Linda. These fees are used to make necessary improvements within the area to keep the system at acceptable levels of service and to provide for future parks within the City.

#### 14) RECREATION

a) Less than significant impact. The development of 60 housing units would incrementally increase the use of park facilities in the vicinity. Proposed amenities for residents use only includes a clubhouse, benches, picnic tables and barbecue areas and half basketball court. The City of Loma Linda General Plan requires 5 acres of park space for every 1000 residents. This project will be required to pay park in-lieu fees. The provision of recreational areas within the project and the payment of impact fees would reduce to below the level of significance impacts to recreational facilities.

b) No impact. The apartment project will have recreation facilities as amenities for the residents such as: clubhouse, pool, spa, benches, picnic tables and barbeque areas in the common area of the project site. The recreation facilities included in the project will not have an adverse effect on the environment.

#### 15) TRANSPORTATION/TRAFFIC

a) Less than significant impact. The traffic study by Willdan Incorporated, dated October 26, 2004 indicates 405 trips generated daily by the project. The project will be served with two driveways off Barton Frontage Road. The proposed project is not anticipated to cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system. The increase in traffic on nearby streets will not be substantial in relation to the existing traffic load and capacity of the street system. The proposed project will comply with the policies and requirements of the Loma Linda General Plan. The intended project proposes to introduce less than significant adverse impact potentials with relation to this issue.

b) Less than significant impact. The project will not exceed either individually or cumulatively, the county's level of service standard. The project will not require any

widening of the Barton Frontage Road. The proposed project will comply with the policies and requirements of the Loma Linda General Plan. The intended project proposes to introduce less than significant adverse impact potentials with relation to this issue.

c), d), e), f) and g) No impact. The proposed project will cause a slight change in traffic levels with residents from 60 residential units compared to the current vacant site. This project will not result in inadequate emergency access. The project site has been designed to provide adequate access to emergency vehicles and will be reviewed by Public Works and Public Safety Departments. Parking areas will be completed in accordance with the City of Loma Linda's Zoning Code and will be adequate for the proposed parking area. The project supports transit alternatives. A transit stop will be near the project on Barton Road at Benton Street offering half hourly service to San Bernardino and Redlands.

#### 16) UTILITIES AND SERVICE SYSTEMS

a) Less than significant impact. The proposed project is not anticipated to cause or contribute to a violation of wastewater treatment requirements of the Regional Water Quality Control Board. Implementing best management practices and policies of the City regarding wastewater would protect water quality.

b) Less than significant impact. The development of the project site would not require the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. The waste from Loma Linda sewer is transported to the San Bernardino treatment plants. The San Bernardino treatment plants will be able to accommodate the project. City sewer and water lines serve the surrounding neighborhood.

c) Less than significant impact. The development of the project site is not anticipated to require the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Please see response (b).

d) Less than significant impact. The proposed development is not anticipated to use excessive amounts of water or have a demand greater than that available to serve development from existing entitlements and resources. It is not anticipated that the establishment of 60 apartment residences would result in depletion of ground water supplies. The City of Loma Linda provides water from its own six production wells.

e) No impact. The development of the project is not anticipated to result in a determination by the wastewater treatment provider, which serves the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. The waste from Loma Linda sewer is transported to the City of San Bernardino treatment plants. The San Bernardino treatment plant will be able to

accommodate the project. City sewer and water lines serve the surrounding neighborhood.

f) No impact. Waste Management of the Inland Empire provides waste disposal service for the project site. The refuse from the project area would be transported to a County of San Bernardino Landfill.

g) No impact. Waste Management will service the project for solid waste disposal and recycling program. By implementing the recycling and hazardous waste programs the City will help ensure that the waste stream directed to local landfills is reduced. These accommodations for solid waste will comply with all state, federal and local regulations in regards to solid waste disposal.

## 17) **MANDATORY FINDINGS OF SIGNIFICANCE**

a) Less than significant impact. The project will not cause negative impacts to wildlife habitat, nor limit the achievement of any long-term environmental goals, nor have impacts, which are potentially and individually limited but are cumulatively considerable and could potentially have an indirect adverse impact on human beings. The infill site is located within a developed residential area adjacent to a convalescent home, two hospitals, multi family and single-family homes. Standard mitigation measures will reduce the project impacts to less than significant levels. Therefore, development of the site will not impact any endangered species.

b) Less than significant impact. Several of the potential impacts identified in this Initial Study potentially have cumulatively considerable incremental effects, which could degrade the quality of the environment if they were not avoided or sufficiently mitigated. Standard mitigation measures have been proposed and implementation of these mitigation measures should provide safeguards to prevent potentially significant cumulative impacts.

c) Less than significant impact. Several of the potential impacts identified in this Initial Study could degrade the quality of the environment if they are not avoided or sufficiently mitigated. Project impacts, which can be sufficiently mitigated to a less than significant level, include aesthetics, traffic, land use planning and noise. Implementation of the proposed mitigation measures will ensure that the project's effects will remain at a level that is less than significant.

## **REFERENCES**

The following plans and documents were consulted for the preparation of this Initial Study.

1. City of Loma Linda General Plan

2. City of Loma Linda General Plan Land Use Element Map
3. City of Loma Linda Zoning Map
4. City of Loma Linda Municipal Code
5. City of Loma Linda Draft General Plan
6. Flood Insurance Rate Map of San Bernardino County and Incorporated Areas, Map No. 06071C8692F (effective June 27, 2001).
7. Phase I Environmental Assessment, Soils Southwest Incorporated, July 29, 2004
8. Soils Study, Soils Southwest Incorporated, August 20, 2004
9. Traffic Study, Willdan Incorporated, October 26, 2004.

# **Attachment B**

## **Conditions of Approval**

## CONDITIONS OF APPROVAL

### CONDITIONAL USE PERMIT (CUP) NO. 05-01

All applicable provisions and requirements of City Codes and Ordinances shall be met for this project. All conditions unless otherwise specifies are due prior to the issuance of building permits. The following specific requirements shall also apply:

#### 1. COMMUNITY DEVELOPMENT DEPARTMENT

- 1.1 Within one year of this approval, the Conditional Use Permit shall be exercised or the permit/approval shall become null and void.

PROJECT:

EXPIRATION DATE:

CONDITIONAL USE PERMIT (CUP) NO. 05-01

July 26, 2006

- 1.2 In the event that this approval is legally challenged, the City will promptly notify the applicant of any claim or action and will cooperate fully in the defense of the matter. Once notified, the applicant agrees to defend, indemnify, and hold harmless the City, its officers, agents and employees from any claim, action or proceeding against the City of Loma Linda. The applicant further agrees to reimburse the City of any costs and attorneys' fees, which the City may be required by a court to pay as a result of such action, but such participation shall not relieve applicant of his or her obligation under this condition.
- 1.3 The proposed apartment complex shall conform to all provisions of Title 16 of the Loma Linda Municipal Code.
- 1.4 Mitigation measures listed in the Mitigated Negative Declaration shall be made conditions of this project.
- 1.5 During site construction the project shall comply with Section 9.20.050 (Prohibited Noises) of the Loma Linda Municipal Code, which requires that construction activities cease between the hours of 6:00 p.m. and 7:00 a.m.
- 1.6 The developer shall provide infrastructure for the Loma Linda Connected Community Program, which includes providing a technologically enabled development that includes coaxial, cable, and fiber optic lines to all outlets in each unit of the development. Plans for the location of the infrastructure shall be provided with the precise grading plans and reviewed and approved by the City of Loma Linda prior to issuing grading permits.

- 1.7 The Applicant shall submit a Small Project Application for Heritage Gardens for the proposed traffic circulation improvements. Traffic improvements for Heritage Gardens shall have an appropriate easement for emergency vehicle use only as approved by the Community Development Department.

**Architectural and Landscape Plans**

- 1.8 The applicant shall submit three sets of the final landscape plan prepared by a state licensed Landscape Architect, subject to approval by the Community Development Department, and by the Public Works Department for landscaping in the public right-of-way. Landscape plans for the Landscape Maintenance District shall be on separate plans.
- 1.9 Final landscape and irrigation plans shall be in substantial conformance with the approved conceptual landscape plan and these conditions of approval.
- 1.10 All wrought iron fencing shown on the apartment balconies shall be illustrated on the final landscape plan. An elevation of the proposed fencing and six (6) foot perimeter fencing shall be submitted to the Community Development Department and the Public Works Department for review and approval prior to issuance of building permits.
- 1.11 Indicate the location of air conditioner condensers on the project site plan and address the noise level issues according to City of Loma Linda Noise Ordinance. All exterior mechanical equipment shall be screened from view.
- 1.12 All colors and materials shall be reviewed and approved by the Community Development Department prior to issuance of building permits.
- 1.13 Project street light style, specifications and location shall be included in the working drawings, subject to review and approval of the Community Development Department and Public Works Department prior to issuance of building permits.
- 1.14 The interior living areas must comply with the City's 45 CNEL interior noise standard.
- 1.15 The exterior living areas must comply with the City's 65 CNEL exterior noise standard. Balcony barriers may be required. Any balcony barriers required will need to be determined in a future study, when architectural drawings for the project are available, and prior to the issuance of building permits.
- 1.16 The interior project sidewalk shall comply with the City of Loma Linda standards.
- 1.17 Prior to the issuance of grading permits and any building permits, an indoor noise analysis shall be conducted and any recommended mitigation measures related to construction materials and construction practices shall be implemented.

- 1.18 The proposed recreational amenities shown on the site plan shall be revised to delete the proposed basketball court as shown on plans. The revised recreational amenities shall be installed and completed prior to first occupancy.
- 1.19 The applicant shall note on the final plans that a six-foot-high chain-link fence shall be installed around the site prior to building construction stages. Gated entrances shall be permitted along the perimeter of the site for construction vehicles.
- 1.20 Garage doors shall be installed that are more in keeping with a carriage door style and the top panel shall include panel lights. Review and approval shall be required by the Community Development Department.
- 1.21 The landscape plans shall be revised to replace the Crape Myrtle tree species with another tree species from the approved City tree list.
- 1.22 Outdoor drinking fountains shall be provided in the vicinity of the playground equipment.
- 1.23 Mailbox kiosks shall be enhanced with architectural amenities that would be architecturally compatible with building design. Review and approval shall be required by the Community Development Department.
- 1.24 All shrubs and plants which are planted by the developer, shall be a minimum of five gallon in size. All trees planted by the developer shall be a minimum of 24-inch box size.
- 1.25 The project perimeter shall incorporate a six (6) foot blockwall incorporating slumpstone block.
- 1.26 Submit structural design and location for any required walls for review by the Building and Safety Department.
- 1.27 Motion sensor lights shall be placed on the backside of west facing garages.
- 1.28 The applicant shall submit a photometric light study to address concerns of exterior lighting.
- 1.29 The applicant shall work with staff to redistribute garages located on the west property line.

## **2. PUBLIC WORKS DEPARTMENT**



- 2.1 Prior to building permit issuance, a Lot Line Adjustment shall be approved and recorded for the eastern property line.
- 2.2 The Construction and Demolition Policy of the City of Loma Linda shall be followed, and copies of recycling manifests with a final report shall be submitted to the City of Loma Linda. The contractor shall use the City's waste hauler during construction for all debris and recycling.
- 2.3 Provide, to the maximum extent practicable, for the recycling and reuse of existing materials. Coordinate with the Public Works Department to obtain a list of recyclable/reusable materials and recycling vendors. Provide a report of materials recycled/reused; report to include type of materials and quantities of materials recycled/reused.
- 2.4 Trash enclosures shall be sized to accommodate a recycle bin. Applicant shall provide evidence of adequate weekly service from the City Waste Hauler.
- 2.5 Submit grading plans to the Public Works Department for review and approval along with the preliminary soils report and hydrology study. Comply with the City of Loma Linda grading standards as shown on the grading plan checklist. The precise grading plan for the project must be approved prior to issuance of any building permits.
- 2.6 Submit final grade certifications, by the grading engineer, to the Public Works Department prior to issuance of any Certificate of Occupancy.
- 2.7 Submit to Public Works Department an erosion control plan to minimize potential increases in erosion and sediment transport during construction and post construction. Place erosion control measures prior to issuance of building permits. An erosion control deposit will be required prior to recordation of final map or issuance of grading permits which ever occurs first. NPDES regulations apply.
- 2.8 Dust abatement will be made a condition of the grading plans for this project.
- 2.9 Submit original wet signed and stamped compaction reports from the soils engineer to the Public Works Department.
- 2.10 Obtain required permits prior to any construction within the City's right-of-way.
- 2.11 Any abandoned wells on the property or similar structures shall be destroyed in a manner approved by the Public Works Department.
- 2.12 All underground structures, must be broken in, backfilled, and inspected before covering.

- 2.13 During construction of the proposed improvements, only low volatility paints and coatings, as specified in SCAQMD Rule 1113, shall be used. All paints shall be applied using either high-volume, low-pressure (HVLP) spray equipment or by hand.
- 2.14 Comply with the prevailing City standards and requirements at the time of construction.

### **Street Improvements**

- 2.15 Construct full street improvements (including, but not limited to curb and gutter, asphalt concrete pavement, aggregate base, sidewalk, and two drive approaches to Barton Frontage Road. Appropriate traffic signage shall be installed for proposed traffic redirect of traffic for the Heritage Gardens facility.
- 2.16 Provide for street lighting within the project as follows:
  - a. Deposit moneys with the Southern California Edison Company to cover all installation and connection charges for streetlights per adopted City policy regarding pole spacing and location.
  - b. Streetlights installed and energized prior to release for occupancy, unless otherwise approved by the Public Works Department.
- 2.17 Any existing streets cut for installation of new services will require an A.C. overlay.
- 2.18 Indicate the location of any existing utility facility that would affect construction on improvement plan and profile.
- 2.19 Design public improvements including sidewalk, drive approaches and handicap ramps in accordance with all requirements of the State of California Accessibility Standards, Title 24 California Administrative Code.
- 2.20 Follow all recommendations of the Traffic Study from Willdan Associates dated October 26, 2004 and the addendum dated March 21, 2005.
- 2.21 Record Revisions" made to all plans to reflect the changes to improvements as constructed.

### **Drainage**

- 2.22 Provide engineered plans for all drainage improvements, to the Public Works Department for approval.

- 2.23 An erosion/sediment control plan and a Water Quality Management Plan are required to address on-site drainage construction and operation.
- 2.24 All necessary precautions and preventive measures shall be in place in order to prevent material from being washed away by surface waters or blown by wind. These controls shall include at a minimum: Regular wetting of surface or other similar wind control method, installation of straw or fiber mats to prevent rain related erosion. Detention basin(s) or other appropriately sized barrier to surface flow must be installed at the discharge point(s) of drainage from the site. Any water collected from these controls shall be appropriately disposed of at a disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective for the duration of the project construction.
- 2.25 Appropriate controls shall be installed to prevent all materials from being tracked off-site by vehicles or other means. These controls may include gravel exits or wash-down areas. Any materials tracked off-site must be removed as soon as possible, but no later than the end of the operation day. This material shall be disposed of at an appropriate disposal site. These measures shall be added as general notes on the site plan and a statement added that the operator is responsible for ensuring that these measures continue to be effective during the duration of the project construction.
- 2.26 Obtain flowage easements where diversion or concentration of runoff from the site or drainage facilities dewater onto private property.
- 2.27 Submit additional improvement plans and profiles to the drainage requirements stated herein, for other "on-site" or "off-site" improvements not determined from tentative plans, to the Public Works Department for review.
- 2.28 Prior to issuance of grading permits, the applicant shall obtain coverage under the NPDES Statewide Industrial Stormwater Permit for General Construction Activities from the State Water Resources Control Board. Evidence that this has been obtained shall be submitted to the City of Loma Linda Public Works Department.

#### **Utilities**

- 2.29 Connect to City of Loma Linda sewer system.
- 2.30 Connect to City of Loma Linda water system.
- 2.31 Provide all utility services to each lot, including sanitary sewer, water, electric power, cable, gas, and telephone. All utilities are to be underground.

- 2.32 Water mains shall be sized and installed as shown on approved utility plans for potable and non-potable service to the development. Submit plans for review and approval.
- 2.33 All fire hydrants and their distribution mains shall be made part of the Public System.
- 2.34 Meter size shall be as shown on the approved set of utility plans.
- 2.35 Service lines from the main and the water meters shall be installed in accordance with City of Loma Linda standards.
- 2.36 All water use for planned domestic, fire lines, and irrigation shall all be metered separately.
- 2.37 Improvement plans are to include all connections and locations to the City mains for on-site irrigation, including all meter and backflow prevention devices.
- 2.38 All relocation costs for affected utilities will be borne by the developer/property owner.
- 2.39 All sanitary sewers are to be designed to remove the domestic sewage to the existing public sewer mains located in the right-of-way.
- 2.40 All utility services serving the site shall be installed and maintained underground as depicted on the site plan. All adjacent power poles shall be undergrounded.
- 2.41 The developer shall be responsible for paying for the relocation of any power poles or other existing public utilities as necessary.

### **3. FIRE DEPARTMENT**

- 3.1 All construction shall meet the requirements of the editions of the California Building Code (CBC)/ Uniform Building Code (UBC) and the California Fire Code (CFC)/Uniform Fire Code (UFC) as adopted and amended by the City of Loma Linda and legally in effect at the time of issuance of building permit.
- 3.2 Pursuant to UFC Section 901.4.4, as amended in Loma Linda Municipal Code (LLMC) Section 15.28.150, building address numerals shall be a minimum of eight (8) inches, affixed to the buildings so as to be visible from the street or driveway, and electrically illuminated during the hours of darkness. Additional six (6) inch numerals shall be placed on a monument sign located at the front of the property.

- 3.3 Pursuant to UBC Section 904.2.2, as amended in LLMC Section 15.08.220, and UFC Section 1003.2.2.3, as amended in LLMC Section 15.28.250, all buildings shall be equipped with automatic fire sprinkler systems. Systems provided for the apartment buildings shall meet the requirements of National Fire Protection Association (NFPA) 13R. Systems provided for the garages and the recreation building shall meet the requirements of UBC Standard No. 9-1 (NFPA 13). Pursuant to UFC Section 1001.3, plans and specifications for the fire sprinkler systems shall be submitted to Fire Prevention for review and approval prior to installation.
- 3.4 Pursuant to UFC Section 903, water main(s) and fire hydrants capable of supplying the required fire flow for fire protection shall be provided on-site. Pursuant to UFC Section 903.4.2, as amended in LLMC Section 15.28.200, a utility improvement plan showing the proposed locations for fire hydrants shall be submitted to Fire Prevention for review and approval as part of the plan review process prior to construction.
- 3.5 Address(es) shall be as assigned by the Fire Marshal in a separate document, following approval of the project. Individual apartment units shall be numbered or lettered according to a plan submitted by the applicant and approved by the Fire Marshal.
- 3.6 Fire Station and Fire Equipment Development Impact Fees shall be assessed according to the rates legally in effect at the time of building permit issuance. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by City Manager's Executive Order.
- 3.7 Pursuant to UFC Section 902.2.2.4, the reconfigured parking lot located to the west of the Heritage Gardens facility shall be designed to accommodate the turning around of fire apparatus (Truck 251).

#### 4. FEES/PERMITS/BONDING

- 4.1 Within forty-eight (48) hours of approval of the subject project, the applicant shall deliver to the Community Development Department, check or money order made payable to the **COUNTY OF SAN BERNARDINO** in the amount of \$35.00 (*thirty five dollars*) to enable the City to file the appropriate environmental documentation for the project. If within such forty-eight (48) hour period that applicant has not delivered to the Community Development Department the above-noted check, the statute of limitations for any interested party to challenge the environmental determination under the provisions of the California Environmental Quality Act could be significantly lengthened.
- 4.2 Pay appropriate fees for plan check, inspection, permits, GIS map plan update, microfilming and storage of maps and plans, and other required fees.

- 4.3 All studies required within these conditions require a deposit to cover the cost of the review of the studies. Additional deposits may be required or a refund issued when the costs do not match the deposits.
- 4.4 Development Impact fees for all units shall be paid in full to the City of Loma Linda prior to the issuance of the first certificate of occupancy.
- 4.5 Fire Station and Fire Equipment Development Impact Fees shall be assessed to the project at the rates established for Single-Family Residential development in the City's Resolution "Establishing A Schedule Of Development Impact Fees To Finance Capital Facilities Necessitated By New Development" legally in effect at the time of issuance of building permit. Pursuant to LLMC Chapter 3.28, plan check and inspection fees shall be collected at the rates established by City Manager's Executive Order.
- 4.6 Submit proof of payment from the City of San Bernardino for sewer capacity fees and Redlands Unified School District to the Community Development Department prior to the issuance of any building permits.
- 4.7 Permits from other agencies will be required as follows:
  - a. D.I.S. Trenching Permit for all trenches are over 5 feet deep.
  - b. NPDES: Notice of Intent; Storm Water Pollution Prevention Plan
- 4.8 All studies required within these conditions require a deposit to cover the cost of the review of the studies. Additional deposits may be required or a refund issued when the costs do not match the deposits.

**5. OPERATIONS**

- 5.1 The property owner shall be responsible for the operation, management, use, repair and maintenance of all common areas and facilities including recreational facilities, parks, landscaped areas and lots, trails, pathways, walls and wrought iron fences.
- 5.2 All landscaping shall be properly maintained such that they are evenly cut, evenly edged, free of bare or brown spots, free of debris and free of weeds above the level of the lawn. All planted areas other than lawns shall be free of weeds, dead vegetation and debris. All trees and shrubs shall be trimmed so they do not impede pedestrian traffic along the walkways. All trees shall also be root pruned to eliminate exposed surface roots and damage to sidewalks, driveways and structures.
- 5.3 Common areas shall be maintained in such a manner as to avoid the reasonable determination of a duly authorized official of the City that a public

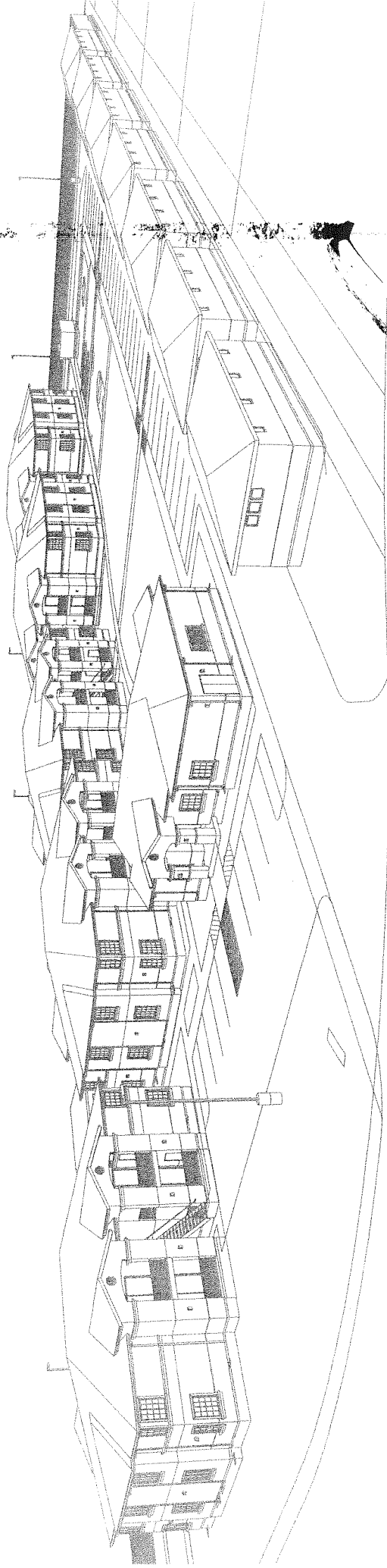
nuisance has been created by the absence of adequate maintenance such as to be detrimental to public health, safety or general welfare, or that such a condition of deterioration or disrepair cause harm or is materially detrimental to property values or improvements within the surrounding area.

- 5.4 Residents shall not store or park any non-motorized vehicles, trailers regardless of length, or motorized vehicles that exceed 7 feet high, 7 feet wide or 20 feet long in any parking or driveway area except for purpose of loading, unloading, making deliveries or emergency repairs
- 5.5 Storage of personal items may occur in the garages only to the extent that vehicles may still be able to be parked within the required garage spaces. Outside storage of personal items shall not be permitted.
- 5.6 A policy handbook shall be submitted to the Community Development Department for review prior to occupancy. A provision in the policy handbook shall address that garages shall be used for vehicular storage only.

# **Attachment C**

## **Project Site Plan and Elevations**





# Loma Linda Apartments

25271 BARTON ROAD LOMA LINDA, CA  
BY AGL CORPORATION & MARK GOINGS

**LANDSCAPE ARCHITECT:**  
**R. DALE HADFIELD ASLA**

Dale Hadfield  
26041 Cape Drive, Suite 265  
Laguna Niguel, CA 92677  
(949) 367-9275

**ELECTRICAL:**  
**NUTTER ELEC. DESIGN**

David Nutter  
3276 Rosecrans St., Suite 204  
San Diego, CA 92110  
(619) 222-6337

**PLUMBING:**  
**SCHMIDT PLUMBING**

Bob Samson  
2343 La Cresta  
El Cajon, CA 92021  
(619) 390-8382

**STRUCTURAL ENGINEER:**  
**HCP ENGINEERING**

Hitesh Patel  
1307 West Sixth St., Suite 211  
Corona, CA 92882-3168  
(951) 738-0840

**ARCHITECT:**

**ROBERT F. TUTTLE ARCHITECTS, INC.**  
5 Red Rock Lane  
Laguna Niguel, CA 92677  
(949) 249-5532  
Email: RFTA@cox.net

**MECHANICAL:**

**HARINTON MECHANICAL**

Tom Harinton  
45750 Jeronimo St.  
Temecula, CA 92592  
(951) 506-0122

**CIVIL ENGINEER:**

**Goodman and Associates**

Douglas L. Goodman  
2079 Sky View Drive  
Colton, CA 92324  
(909) 824-2775  
(909) 824-2807 fax

**DEVELOPER:**

**ACGL CORPORATION & MARK GOINGS**

Mark Goings  
27951 Town Center  
Foothill Ranch, CA 92610  
(949) 465-3772

MARCH 18, 2006

**A-0**

# DAISY AVENUE

608.43' 389.43' 10' W

EXISTING DRIVEWAY TO REAR

EXISTING DRIVEWAY TO REAR

EXISTING DRIVEWAY TO REAR

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## Site Statistics

Project Address: 25271 Barton Road, Loma Linda, California 92354  
 APN#: 284-191-24  
 Site area: 147,548 s.f.  
 Existing Zoning: R-3  
 Designation: High Density Residential  
 Buildings will be fully sprinklered.

Building areas:  
 apt bldg (5) 7,812 s.f. = 39,060 s.f.  
 garage (10) 924 s.f. = 9,240 s.f.  
 recreation 1,952 s.f. = 1,952 s.f.  
 total bldg area 50,252 s.f.

Building Footprint Areas:  
 apt bldg (5) 4,218 s.f. = 21,090 s.f.  
 garage (10) 524 s.f. = 5,240 s.f.  
 recreation 1,952 s.f. = 1,952 s.f.  
 total bldg footprint area 32,282 s.f.

Paving area: 42,862 s.f.

Building CBC Classification: Type V - 1 hour  
 Building Occupancy: R-1

lot coverage: 25.0%  
 required minimum usable open space: 28,000 s.f.  
 700 s.f./unit X 40 =

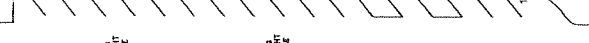
Landscape + hardscape: 72,402 s.f.  
 Coverage: 48.0%  
 Park area: 27,159 s.f.  
 Coverage: 18%

Number of units: (5) x 8 = 40 units  
 2 bedroom unit = 976.5 s.f.  
 outdoor patio = 78 s.f.  
 total unit area = 1,054.5 s.f.

Required Parking: 100  
 2.5 x 40 =  
 Parking provided: 40  
 covered: 40  
 open: 62  
 total: 102  
 Accessible parking provided: 7  
 total: 7

Existing Care Parking:  
 required: 87 stalls  
 provided: 89 stalls

## VICINITY MAP



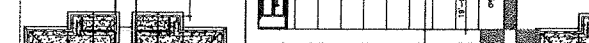
## MONUMENT SIGN ELEVATION



## PLAYGROUND EQUIPMENT DETAIL



## TR 240



## 3



## 4



## 5



## 6



## 7



## 8



## 9



## 10



# PHASING PLAN

1. Project will be built in one phase of construction. Estimated construction schedule is 12 months.
2. During construction, trailer will be located on adjoining parking lot, east of the property, at the location shown on this plan.
3. Sale efforts will be conducted from the Recreation building sales offices.
4. Model units will be those units located closest to Daisy Avenue, East of the sales office.

## Existing Care Facility Statistics

Project Address: 25271 Barton Road  
Loma Linda, California 92354

Required Parking 87 stalls

Parking provided 89 stalls

BENTON AVENUE

DAISY AVENUE



EXISTING SITE & DEMOLITION PLAN 1  
SCALE 1"=20'-0"

626.55'  
589'43"10"W

Loma Linda  
SITE DEMOLITION PLAN

DATE LAST EDITED:  
MARCH 16, 2006

SHEET NO.  
**A-2**

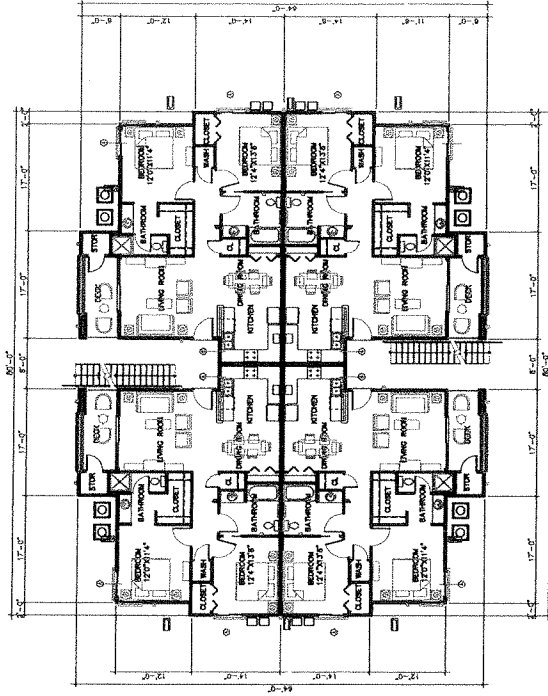
**LOMA LINDA APARTMENTS**  
25271 Barton Road, Loma Linda, CA 92354  
ACGL Corporation & Mark Goings

25271 Barton Road, Loma Linda, CA 92354

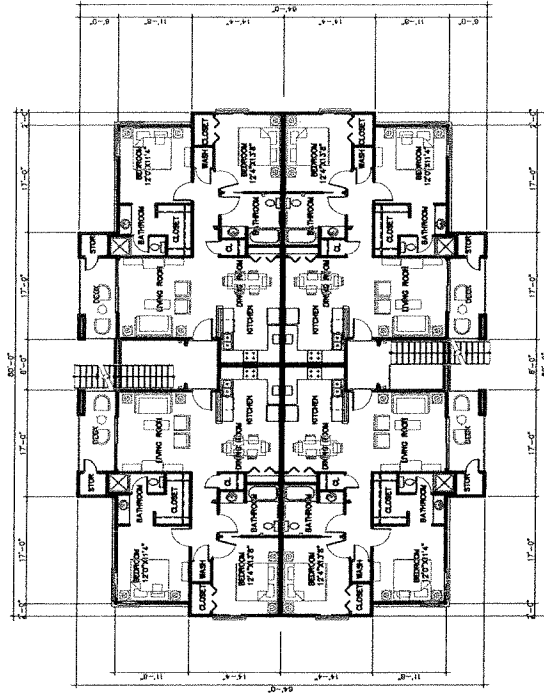


1521 HOLMAN  
LAGUNA HILLS, CA

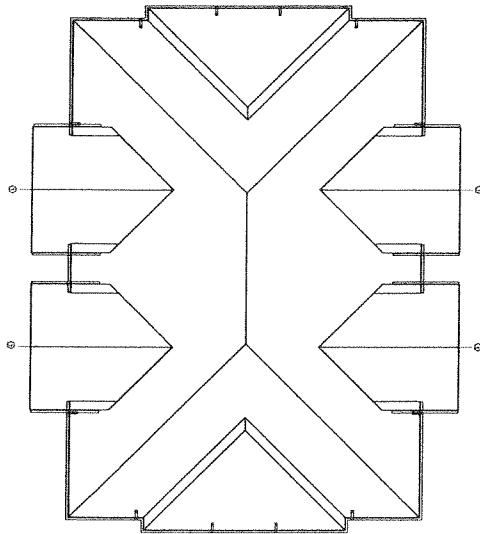
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CONSENT OF F. TUTTLE  
ARCHITECTURAL & DESIGN.



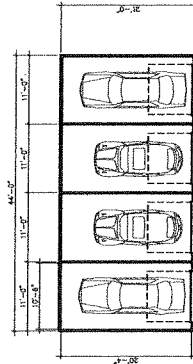
FIRST FLOOR PLAN 1  
SCALE 1/8"=1'-0"



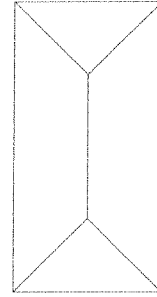
SECOND/THIRD FLOOR PLANS 2  
SCALE 1/8"=1'-0"



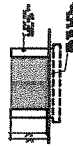
ROOF PLAN 3  
SCALE 1/8"=1'-0"



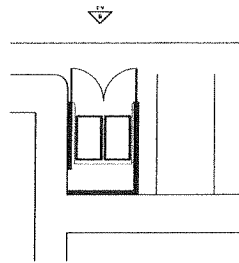
GARAGE PLAN 4  
SCALE 1/8"=1'-0"



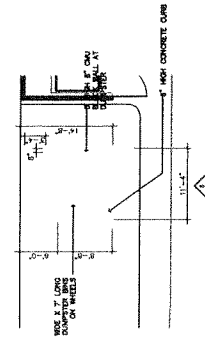
GARAGE ROOF PLAN 5  
SCALE 1/8"=1'-0"



DUMPSTER ELEVATION 6  
SCALE 1/8"=1'-0"



SINCE TWO DUMPSTERS ARE PROVIDED, NOT SIX  
DUMPSTERS AS RECOMMENDED BY THE CITY CODE,  
THE DUMPSTERS SHALL BE PLACED IN THE  
MIDDLE TO ENSURE THAT THE TRASH BINS ARE NOT  
OVERFLOWING.



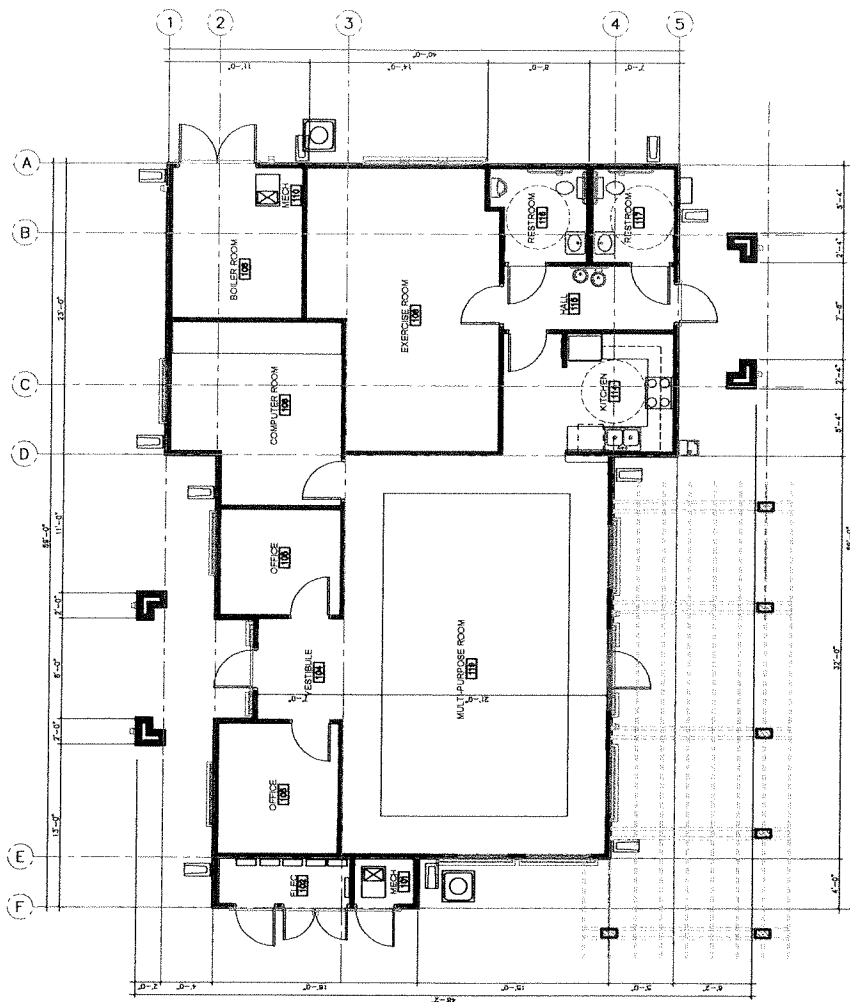
DUMPSTER PLAN 7  
SCALE 1/8"=1'-0"



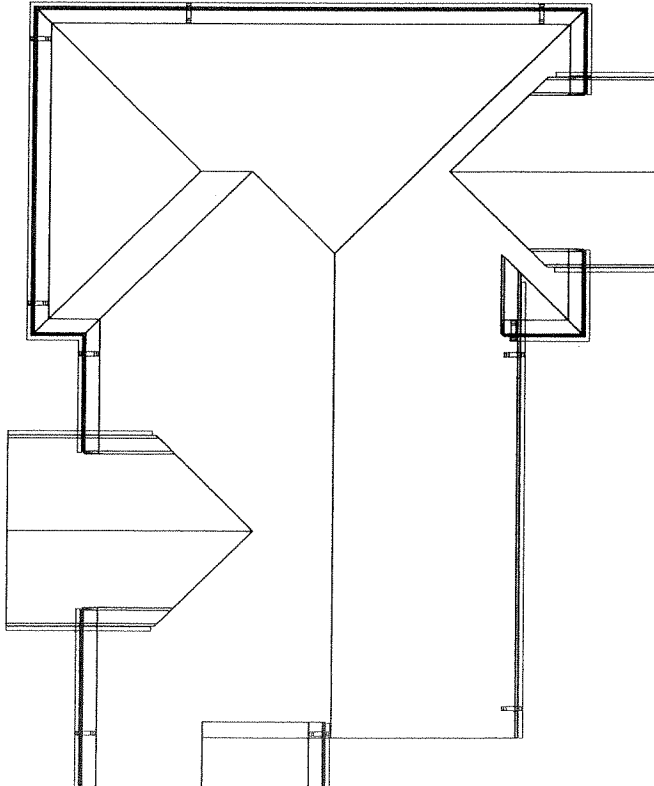
ALL DIMENSIONS AND MATERIALS  
SHOWN ARE APPROXIMATE. THE  
CONTRACTOR SHALL BE RESPONSIBLE  
FOR OBTAINING ALL NECESSARY  
PERMITS AND FOR THE PROTECTION  
OF ALL EXISTING UTILITIES AND  
STRUCTURES.

**LOMA LINDA APARTMENTS**  
25271 Barton Road, Loma Linda, CA 92354  
ACGL Corporation & Mark Goings  
25271 Barton Road, Loma Linda, CA 92354

Loma Linda  
RECREATION BUILDING PLAN  
DATE LAST REVISED:  
MARCH 18, 2005  
SHEET NO.  
**A-4**



**FIRST FLOOR RECREATION BUILDING PLAN 1**  
SCALE 1/4"=1'-0"



**ROOF RECREATION BUILDING PLAN 2**  
SCALE 1/4"=1'-0"



1120 ROCKLAND  
SACRAMENTO, CA 95811  
408.243.1121 FAX 408.243.1122  
WWW.RFFUTUREARCHITECT.COM

LOMA LINDA APARTMENTS  
25271 Barton Road, Loma Linda, CA 92364  
ACGL Corporation & Mark Goings

Loma Linda  
BUILDING ELEVATIONS  
DATE LAST EDITED:  
MARCH 16, 2006

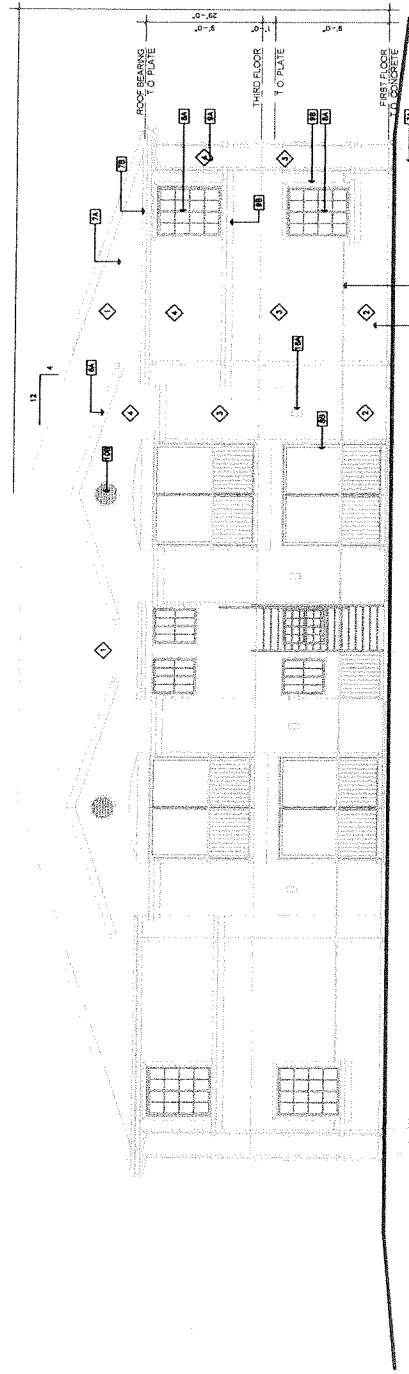
SHEET NO.  
**A-5**

**KEYNOTES**

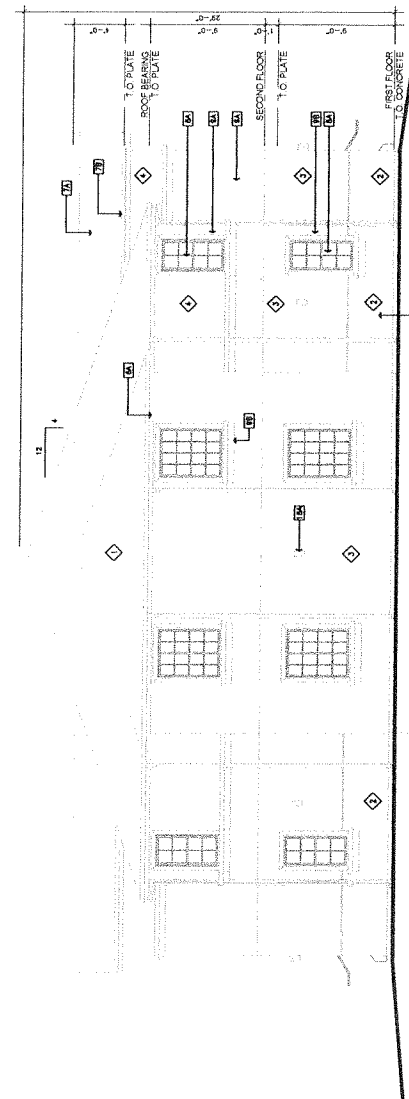
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  - 3A CONCRETE FOUNDATION
- DIVISION 6 - WOOD AND PLASTICS
  - 6A 2X8 WOOD FASCI WITH PAINT FINISH
  - 6B WOOD RUSSES
- DIVISION 7 - THERMAL & MOISTURE PROTECTION
  - 7A CONCRETE TILE OVER THREE LAYERS MINIMUM 30 LB ASPHALT FAPER, SEE SCHEDULE FOR SIZE AND TYPE
  - 7B ALUMINUM GUTTER AND DOWNSPOUT WITH KYNAR FINISH
- DIVISION 8 - DOORS AND WINDOWS
  - 8A SOLID VINYL WINDOWS W/ 1" INSULATED GLASS UNITS, SEE SCHEDULE FOR SIZE AND TYPE
  - 8B DOOR AND FRAME - SEE SCHEDULE
- DIVISION 9 - FINISHES
  - 9A 7/8" STUCCO
  - 9B DOOR AND WINDOW HEAD & SILL FOAM TFM ATTACHED TO STUCCO W/ COORD. COLOR GROUT
  - 9C 1/2" SQUARE GALVANIZED STEEL REINFORCING
  - 9D EXPANSION JOINT IN STUCCO FINISH
- DIVISION 10 - SPECIALTIES
  - 10A BUILDING ADDRESS SIGNAGE
  - 10B 24" DIAMETER ALUMINUM ATTIC VENT WITH INSET SCREEN
- DIVISION 15 - ELECTRICAL
  - 15A EXTERIOR LIGHT SOURCE

**COLOR KEY**

- ROOF MATERIAL: CONCRETE 15" TILE, SAND DARTON B200 R-300
- STUCCO BASE
- STUCCO FIELD
- STUCCO TOP
- WOOD OVER TRIM 1" DOORS AND WINDOWS: TOWNHOUSE TAN SW 2186
- PAINTED TUBULAR STEEL RAILS: RED BRUSH SW 2173
- DECORATIVE GABLE END VENTS: TOWNHOUSE TAN 2186
- PAINTED WOOD FASCIAL: TOWNHOUSE TAN SW 2186



**FRONT AND REAR ELEVATION 1**  
SCALE 1/4"=1'-0"



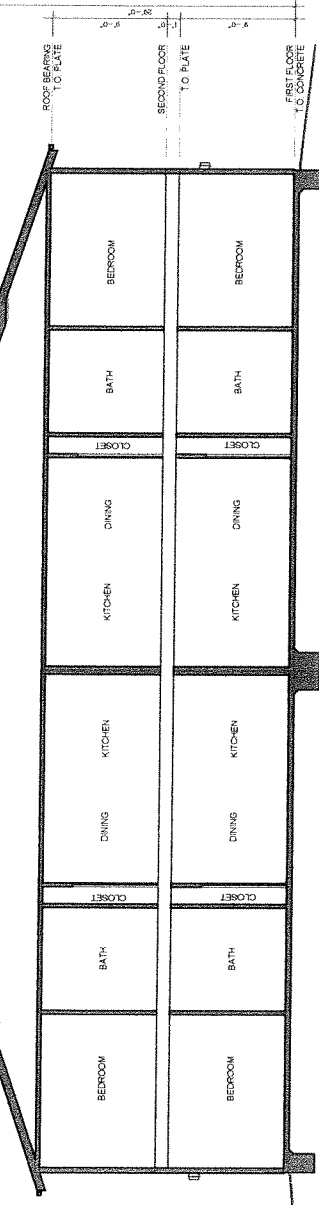
**SIDE ELEVATION 2**  
SCALE 1/4"=1'-0"



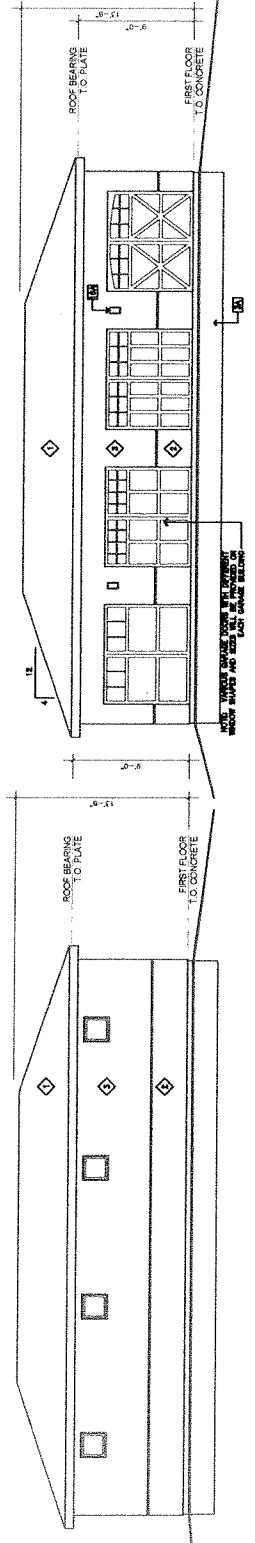
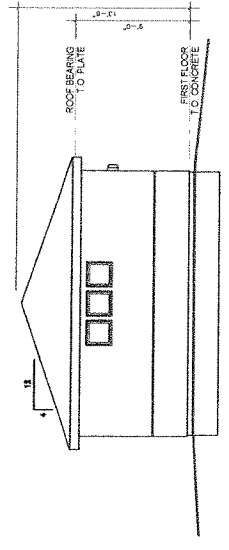
252271 Barton Road, Loma Linda, CA 92354  
ACGL Corporation & Mark Goings  
252271 Barton Road, Loma Linda, CA 92354

- KEYNOTES**
- DIVISION 3 - CONCRETE  
3A CONCRETE FOUNDATION  
DIVISION 8 - WOOD AND PLASTICS  
8A 2X8 WOOD FASIA WITH PAINT FINISH  
8B WOOD TRUSSES  
DIVISION 11 - THERMAL & MOISTURE PROTECTION  
11A CONCRETE SLAB OVER INSULATED JOISTS WITH 2" POLYSTYRENE INSULATION AND 1/2" AIR SPACE  
DIVISION 12 - ROOFING  
12A ALUMINUM GUTTER AND DOWNSPOUT WITH ENLARGED FINISH  
DIVISION 16 - ELECTRICAL  
16A 1/2" WOOD WINDOWS 1/4" x 1/4" INSULATED GLASS AND GROUND BETWEEN PAGES 252 AND 253  
DIVISION 18 - DOORS AND FRAME - SEE SCHEDULE  
DIVISION 19 - FINISHES  
19A 7/8" STUCCO  
19B 1/2" WOOD TRUSSES WITH 1/2" x 1/2" x 1/2" TRIM ATTACHED TO STUCCO / 1/2" x 1/2" x 1/2" TRIM  
19C HORIZONTAL 1" SQUARE GALVANIZED STEEL TRIM  
19D DIVISION 19B IN STUCCO FINISH  
DIVISION 10 - SPECIALTIES  
10A BUILDING ACCESSORIES  
10B 3/4" DIAMETER ALUMINUM ATTIC VENT WITH INSULATED GUTTER  
DIVISION 16 - ELECTRICAL  
16A EXTERIOR LIGHT SOURCE

- COLOR KEY**
- 1 ROOF MATERIAL CONCRETE 3/4" TILE SAND  
2 CANTON 1/2" x 1/2" x 1/2"  
3 STUCCO BASE  
4 STUCCO FIELD  
5 STUCCO TRIM  
6 STUCCO OVER TRIM AT DOORS AND WINDOWS  
7 TYPICAL TUBULAR STEEL RAILS RED BRUSH FINISH  
8 SEPARATIVE GABLE END ROOF TRUSSHOUSE 1/4" x 1/4" x 1/4"  
9 PAINTED WOOD FASIA TRUSSHOUSE 1/4" x 1/4" x 1/4"



**BUILDING SECTION 1**  
SCALE 1/4"=1'-0"



**GARAGE FRONT, REAR, & SIDE ELEVATIONS 3**  
SCALE 1/4"=1'-0"

Loma Linda  
DATE LAST EDITED  
MARCH 28, 2008  
SHEET NO.  
**A-6**

- KEYNOTES

DIVISION 3 - CONCRETE

3A CONCRETE FOUNDATION

DIVISION 6 - WOOD AND PLASTICS

6A 2X6 WOOD FASCIA WITH PAINT FINISH

6B WOOD TRUSSES

DIVISION 7 - THERMAL & MOISTURE PROTECTION

7A CONCRETE TILE OVER THREE LAYERS MINIMUM 30 LB ASPHALT PAPER, SEE SCHEDULE FOR DETAILS

7B ALUMINUM STUD AND DOWNPOUT WITH NYLON FINISH

DIVISION 8 - DOORS AND WINDOWS

8A SOLID WOOD WINDOWS 1/2" INSULATED GLASS UNITS AND 1/2" INSULATED GLASS UNITS SEE SCHEDULE FOR DETAILS

8B DOOR AND FRAME - SEE SCHEDULE

DIVISION 9 - FINISHES

9A 7/8" STUCCO

9B DOOR AND WINDOW HEAD & SILL FOAM TRIM ATTACHED TO STUCCO 1/2" CEMENT COLOR COAT

9C EXPANSION JOINT IN STUCCO FINISH

9D EXPANSION JOINT IN STUCCO FINISH

DIVISION 10 - SPECIALTIES

10A BUILDING ADDRESS SIGNAGE

10B 24" CHARACTER ALUMINUM ATTACHMENT WITH INSET SIGN

DIVISION 16 - ELECTRICAL

16A EXTERIOR LIGHT SOURCE

LOMA LINDA APARTMENTS

25271 Barton Road, Loma Linda, CA 92354

ACGL Corporation & Mark Goings

25271 Barton Road, Loma Linda, CA 92354

ACGL Corporation & Mark Goings

25271 Barton Road, Loma Linda, CA 92354

LOMA LINDA

RED BUILDING ELEVATIONS

DATE LAST EDITED: MARCH 18, 2005

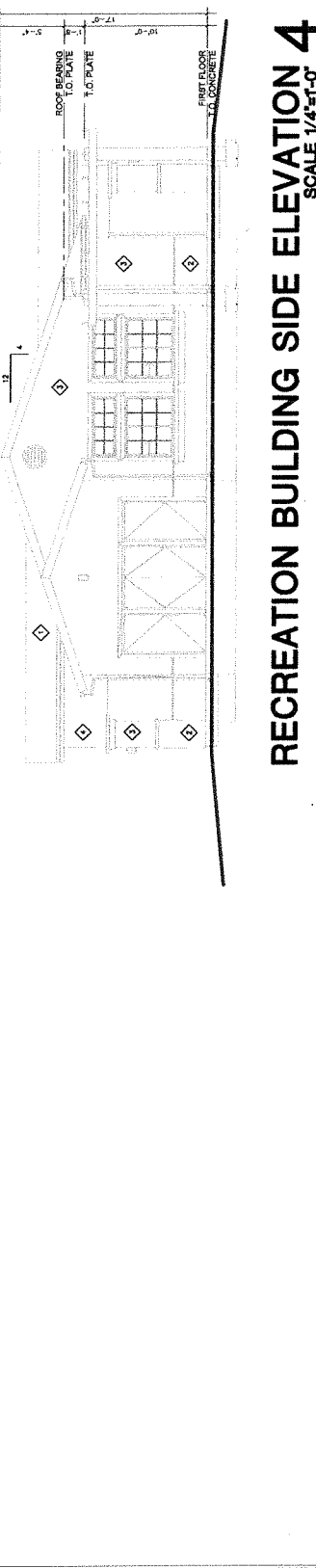
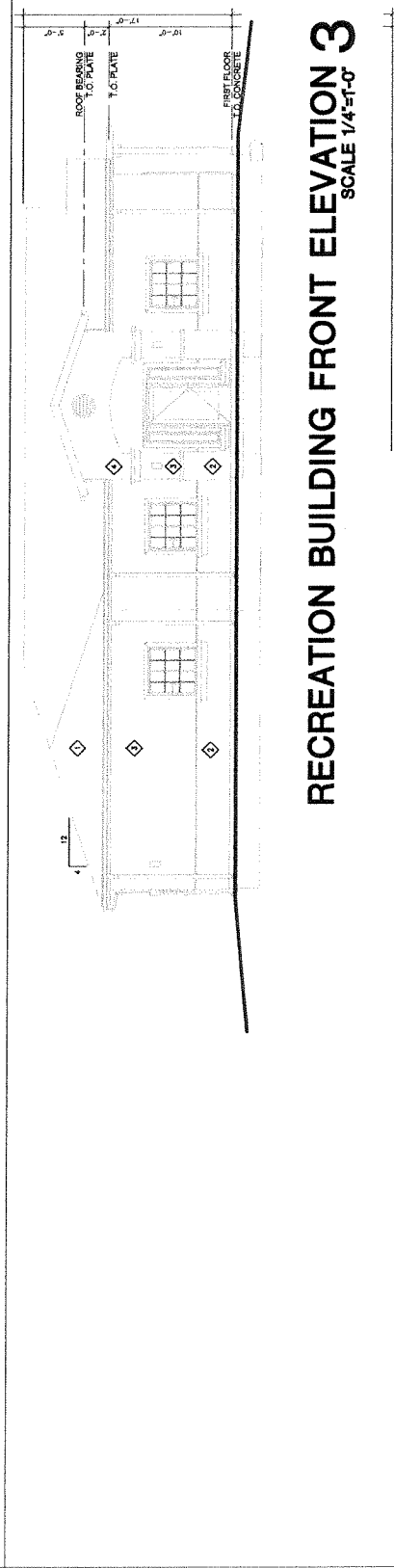
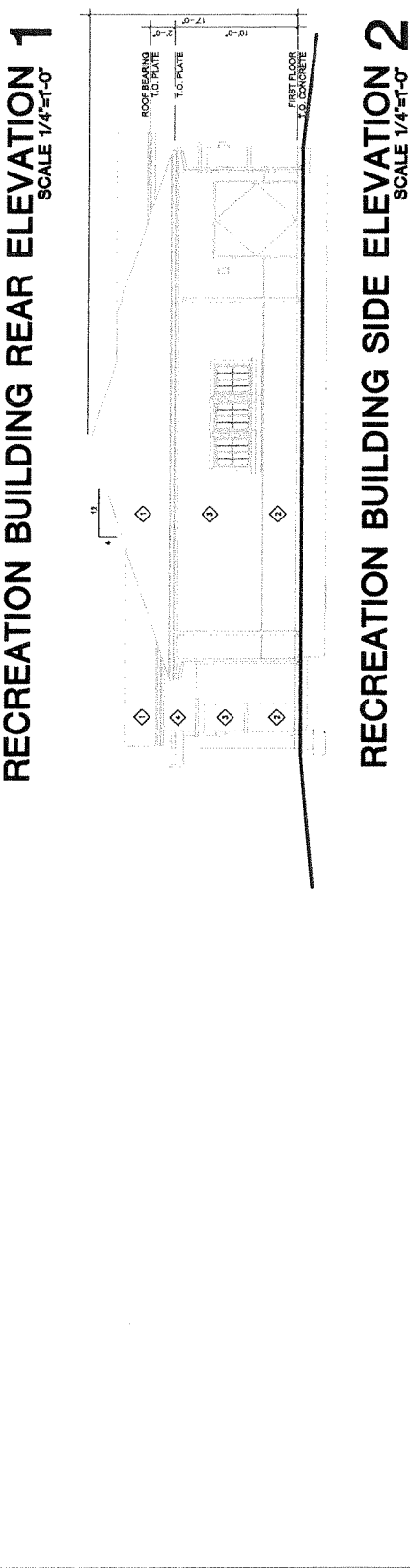
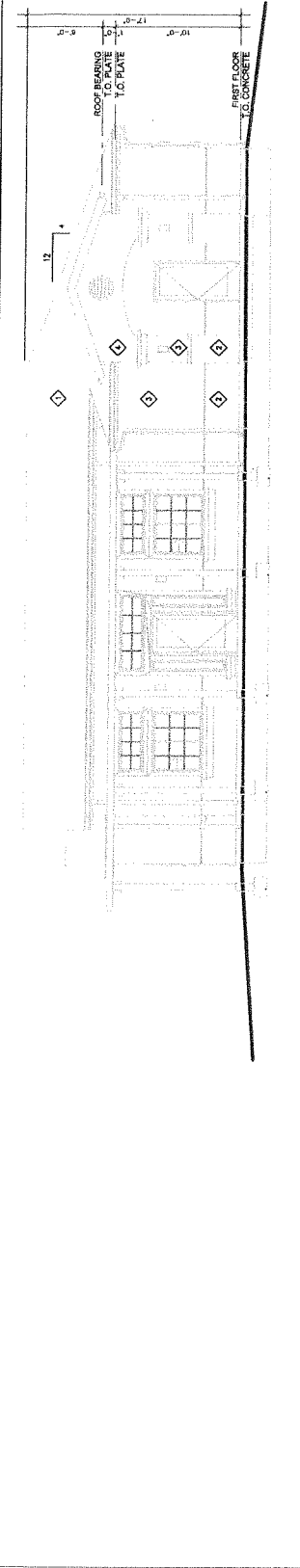
SHEET NO. A-7

LOMA LINDA

RED BUILDING ELEVATIONS

DATE LAST EDITED: MARCH 18, 2005

SHEET NO. A-7





# Loma Linda Apartments

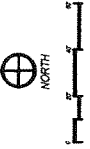
25271 Barton Road, Loma Linda, CA 92354
   
 by ACAL Corporation & Mark Golings

DATE LAST EDITED:

REVISION NO.










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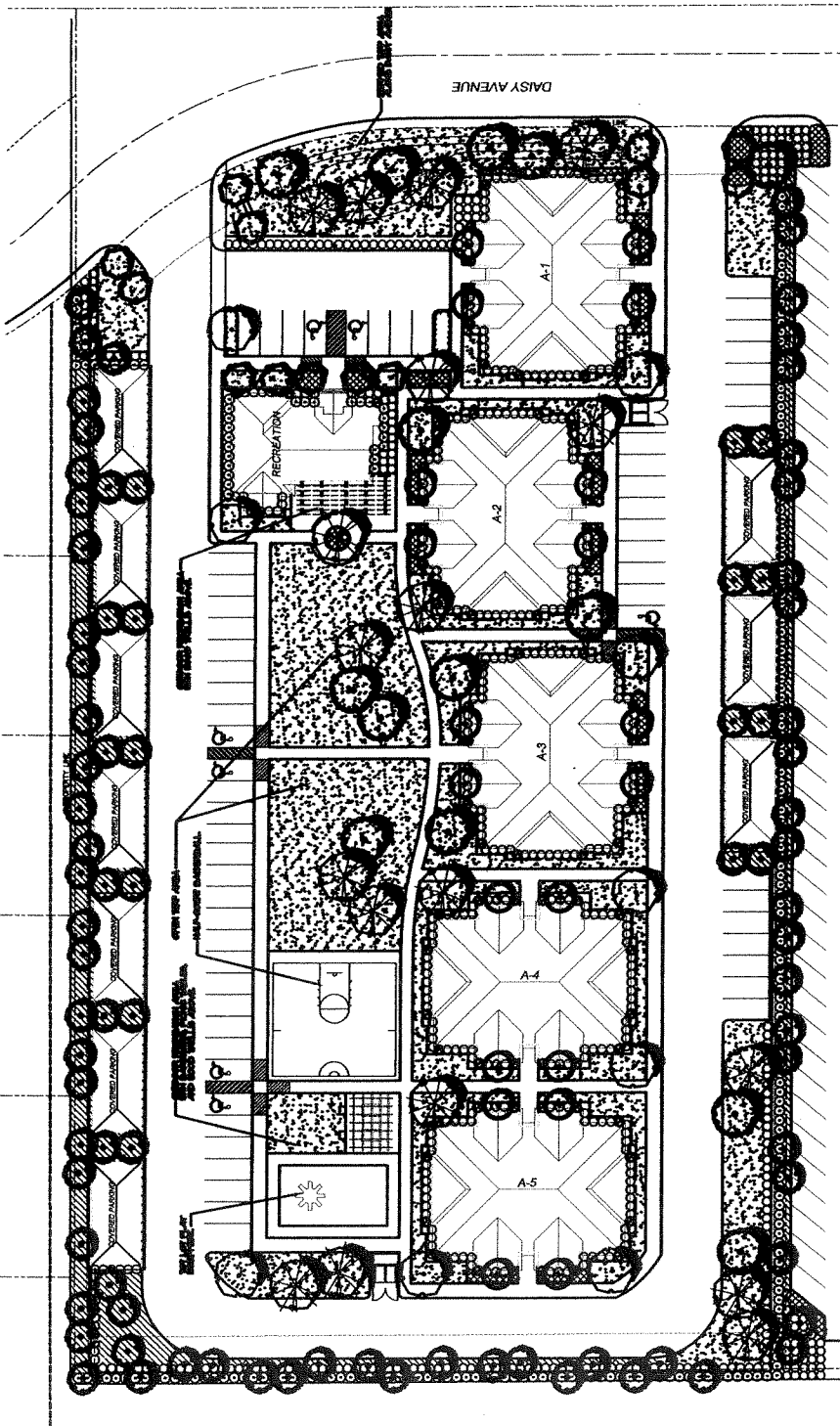
1-1



## PRELIMINARY LANDSCAPE PLAN

SCALE: 1" = 20'-0"

- PLANTING LEGEND**
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BARTON ROAD

DAISY AVENUE

## **Attachment D**

**D 1. March 2, 2005 Planning Commission  
Staff Report  
(Attachments not included)**

**D 2. Approved Planning Commission meeting  
Minutes of March 2, 2005**

**D 1**

# Staff Report

# City of Loma Linda

From the Department of Community Development

## PLANNING COMMISSION MEETING OF MARCH 2, 2005

TO: PLANNING COMMISSION

FROM: DEBORAH WOLDRUFF, AICP, DIRECTOR

RC  
F8W

SUBJECT: General Plan Amendment (GPA) No.04-05, Zone Change (ZC) No. 04-05 and Conditional Use Permit (CUP) No. 05-01

### SUMMARY

The project is a 60-unit apartment complex proposed for a 3.4-acre site. The proposal includes an amendment to the General Plan Land Use Map from Very High Density to High Density and a Zone Change from Multiple Family Residence Planned Development (R-3) to Multiple-Family Residence (R-3). A Conditional Use Permit (CUP) is required for apartment projects exceeding two stories and the maximum height of thirty-five feet. The project is located west of the Heritage Gardens Convalescent Center on the south side of Barton Road (25271 Barton Road). The project can be accessed from Daisy Avenue off of Benton Street (Attachment A). The proposal includes an amendment to the General Plan Land Use Map from Very High Density (11-20 du/ac) to High Density (11-20 du/ac) and a Zone Change from Multiple Family Residence Planned Development (R-3) to Multiple Family Residence (R3). A Conditional Use Permit is required for apartment projects exceeding two stories and the maximum height of thirty-five feet.

### RECOMMENDATION

The recommendation is that the Planning Commission takes the following actions:

1. Adopt the Mitigated Negative Declaration (Attachment A); and,
2. Approve General Plan Amendment No.04-05 and Zone Change No. 04-05 based on the Findings, and
3. Approve Conditional Use Permit No. 05-01, based on the findings and subject to the attached Conditions of Approval (Attachment C).

### PERTINENT DATA

Applicant: ACGL Corporation and Mark Goings

General Plan: Very High Density Residential (11-20 du/ac)

Zoning: Multiple Family Residence (R3)

Site:	Rectangular lot
Topography:	Sloping slightly from the south to the north
Vegetation:	Contains annual grasses
Special Features:	Immediately west of Heritage Gardens Convalescent Center

## **BACKGROUND AND EXISTING SETTING**

The site is 450 feet in depth and approximately 300 feet in width. It has been vacant for over 50 years as development occurred around the parcel. The houses to the west along Poplar Street and Daisy Avenue were developed in the 60's and the condominiums to the south were developed in the early 70's. The site is predominately covered with natural brush and grasses. It is the last remaining vacant parcel on Barton Road between Anderson Street and Loma Linda Drive (Attachment D). A portion of the parcel is used for surface parking for Heritage Gardens. A Lot Line Adjustment will be required to straighten out the offset on the eastern property line.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS**

On February 10, 2005, a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration was prepared and issued for public review. The 20 day mandatory CEQA public review began on February 11, 2005 and ends on March 2, 2005. The Initial Study discusses potential impact categories and appropriate mitigation measures. All of the potential impacts that were identified in the Initial Study can be mitigated to a level of insignificance. The mitigation measures are included as conditions of project approval. Therefore, the project can be approved with a Mitigated Negative Declaration in accordance with the requirements of CEQA. No comments on the environmental documents have been received to date.

## **ANALYSIS**

## **Project Description**

The project proposes a maximum of 60 apartments on 3.39 acres for an overall density of 17 units per acre (Attachment E). There will be five, three story apartment buildings, with twelve units in each. Each unit has 1,056 square feet of living space and two bedrooms. A 78 square foot balcony/deck is provided for each unit off of the living room. At 2.85 people per household, the project is estimated to generate 171 new residents. The project is targeted to provide market rate, rental housing for students, young professionals, seniors, and medical patients seeking long-term treatment at the Medical Center.

The City's parking standards require 2.5 spaces for each of the 60, two bedroom apartments. A total of 152 parking spaces are provided with 60 garage spaces and 92 open parking spaces. This includes guest parking spaces. No carports are provided. The traffic study from Willdan (October 26, 2004) indicates 405 daily trips will be generated by the project from two driveways off of Barton Frontage Road/Daisy Avenue. A condition of approval requires that the garages be used for vehicle parking only.

A Conditional Use Permit is required because the design calls for three story structures at 39 feet in height. Zoning Code Section 17.38.150 states that when multi-family development is proposed adjacent to an R1 Zone, no structure shall exceed two stories within 100 feet of the subject boundary. The site plan indicates the buildings are sited over 125 feet from the western property line, which is next to single-family homes. Stairs will be used for access to the second and third floors. Elevators are not proposed for the project.

Two trash enclosures have been provided, one at the southern end and one on the east side of the project. Public Works requires that they be sized to accommodate a recycling bin in addition to the standard bin requirements. The applicant is also required to provide adequate pick up service from the City waste hauler.

A 22,000 square foot park space is provided as the project centerpiece. This will provide a central gathering place for project residents. At the north end of the park site is the recreation building with a multipurpose room and kitchen. At south end of the park site is a half size basketball court, a lattice structure with picnic tables, barbecues and playground equipment. These amenities will be for the use of residents only. The applicant will be required to pay park fees. However, a credit will be given for the space provided.

## **Project Design**

The architecture is a modern adaptation of Spanish Mediterranean design with its stucco exterior and clay tile roof. The color material board and rendering show earth tone colors for the exterior design. These will be provided at the Planning Commission

meeting. Condition 1.20 requires garage doors be designed with carriage style doors and the top panel to include windows.

### **Design Issues**

The last big multifamily project presented to the Planning Commission was the Barton Vineyards apartment complex by AG Spanos back in 2003. The applicant was given a copy of the Planning Commission notes from the June 25, 2003 meeting (Attachment F). The applicant has responded to several of these issues relating to the street frontage, open space, density and recreational amenities. Additionally, the applicant has been informed of more recent concerns regarding bedrooms on the first floor for the city's elderly population. The applicant's response is that 20 of the apartment units are on the first floor, which could be geared towards interested seniors.

### **Landscape Design**

At the front of the property there will be a landscaped berm turf area. Additionally, a monument sign is proposed at the west entrance. This is not part of the submittal and will require Planning approval at a later date.

The existing fencing along the west property line will remain. The utility easement along this boundary will be landscaped. Next to it are eight of the fifteen garage structures. Wrought iron fencing is proposed at the backside in between the garages. Additionally, wrought fencing is proposed along the southern and eastern property line. Interior project lighting will not be allowed to cross property lines.

### **Recommended Modifications**

Although staff is pleased with overall design of the proposed project and plans, the following items are areas that staff also would like to see modified. Through conditions of approval, these modifications can be accomplished by staff review and approval.

- For Planning Commission consideration, Condition 1.21 requires another species of tree to replace Crape Myrtle.
- For Planning Commission consideration, Condition 1.22 outdoor drinking fountains in the park space and by the half basketball court shall be provided.
- The applicant shall provide a mailbox kiosk that provides architectural character or enhances the appearance of the community. Condition No. 1.23 recommends that the kiosks be enhanced with architectural amenities that would be architecturally compatible with building design.

- Condition No. 1.24 recommends all shrubs and plants planted by the developer proposed shall be a minimum of 5 gallon in size. Trees proposed for the project shall be a minimum of 24-inch box size.

## **Public Comments**

With the exception of one phone call from a resident in opposition who will attend the public hearing, no comments have been received by Planning Staff.

## **FINDINGS**

### **General Plan Text and Map Amendment Findings**

An amendment to the General Plan may be adopted only if all of the following findings are made:

1. *The proposed amendment is internally consistent with the Draft General Plan;*

Changing the land use designation from "Very High Density" to "High Density" would allow for a variety of residential types of development. The General Plan designation is consistent with the new draft General Plan, Preferred Alternative Land Use Map. The Preferred Land Use Alternative Map is the culmination of several community workshops, including two joint workshops of the City Council and Planning Commission. The intent of the High Density designation is to allow for uses such as multi-family residential development up to twenty (20) units per acre. The proposed zoning designation limits the 3.39 acre parcel to residential use and ancillary amenities that would support an apartment complex, such as a recreational building, recreational facilities, park space and trails.

2. *The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;*

The proposed amendment and associated development project would not be detrimental to the public in that the proposed residential community would be compatible with the existing multi family residential community to the south. The proposed project acts as a transition from the convalescent center to the single-family homes to the west. The General Plan amendment and the apartment project provides a unique residential development to the community and improves the existing condition of the site and would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

3. *The proposed amendment would maintain the appropriate balance of land uses within the City; and,*

The balance of land uses in the City will not be adversely affected by the proposed amendment. As previously stated, the draft Preferred Land Use Alternative Map



designates this area as "High Density". The land use and the allowable density remain the same. The change occurs from "Very High Density" to "High Density". The intent of the proposed amendment is to continue multi-family residential uses on the subject property.

4. *In the case of an amendment to the General Plan Land Use Map, the subject parcel(s) is physically suitable (including, but limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development.*

The site is visible from Barton Road. However, access to the site is off of the Barton Frontage Road, which turns into Daisy Avenue as you head west towards Poplar and Hillcrest. The surrounding area is largely developed with residential and institutional uses. All public utilities are available to the site and can be provided for future site occupants. The residential use is compatible with the existing residential community to the south.

### **Zone Change Findings**

Changes to the zoning ordinance and map are considered legislative acts and do not require findings. State law does require that the zoning be consistent with the General Plan. A General Plan text and map amendment are included as part of the proposed application. The proposed "Multiple Family Residence" (R3) zoning district for residential development is consistent with the attached text for the proposed General Plan Land Use designation of "High Density Residential". As stated above the site is suitable for residential development under the "Multiple Family Residence" zone and the project would not cause substantial environmental damage or be detrimental to the public welfare. The change in zoning involves deleting the Planned Development designation.

### **Conditional Use Permit:**

The following findings must be addressed while considering a conditional use permit. Per Code Section 17.30.210, "The Planning Commission, in approving a conditional use permit, shall find as follows:"

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this title;*

High-rise multiple family residential developments are allowed in an R3 Zone subject to an approved CUP pursuant to Loma Linda Municipal Code (LLMC) Section 17.38.030(B). The proposed building height for the five, three story apartment buildings is 39 feet. This is four feet above the maximum allowable height of 35 feet. The CUP requirement for this development covers the additional four (4) foot height needed. The applicant is providing 10 foot floors and the building is designed with a pitched roof. Thus, the architect was not able to meet the 35-foot height requirement.

2. *That the said use is necessary or desirable for the development of the community, is in harmony with the various elements and objectives of the general plan, and is not detrimental to existing uses specifically permitted in the zone in which the proposed use is to be located;*

The site is zoned for Multiple Family Residence development. The zoning density is changing from a maximum of 9 units to a maximum of 20 units. The project will be compatible with the multi-family development that has occurred to the south of the project site and on the north side of Barton Road at Benton Street. Abutting the R1 zone to the west, the project has been designed that buildings shall not exceed two stories within 100 feet of the subject boundary. This conforms with LLMC Section 17.38.150. A check of the site plan illustrates the apartment structures over 125 feet from the west property line.

The project is consistent with General Plan Goal No. 5, which stresses the importance of open space for the well being of all citizens and identifies it as a necessary ingredient in the maintenance of a quality environment. The project proposes private recreational amenities and features that will enhance the lives of the future residents. General Plan Goal No. 4 states that the quality of living in Loma Linda is of paramount concern. The proposed expansion project is compatible with the surrounding residential areas and will not be detrimental to existing uses, pending compliance with the Conditions of Approval for the project.

3. *That the site for the intended use is adequate in size and shape to accommodate said use and all of the yards, setbacks, walls, or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses on land in the neighborhood;*

The site is adequate in size and shape to accommodate said use and meets all code requirements as listed in the LLMC, Chapter 17.38, R-3, Multiple-Family Residence Zone.

4. *That the site or the proposed use related to streets and highways properly designed and improved to carry the type and quantity of traffic generated or to be generated by the proposed use;*

The proposed use has access from Barton Frontage Road/Daisy Avenue and can accommodate the type and quantity of traffic generated by the existing neighborhood and proposed apartment project. The layout of the proposed parking areas into the site will help to alleviate any traffic constraints related to vehicles lining up to access the site from Barton Road and Benton Street intersection. Additionally, the project is providing 60 single car garages.

5. *That the conditions set forth in the permit and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare.*

The public health, safety and general welfare would be protected with the implementation of the project plans and Conditions of Approval for this Conditional Use Permit to insure compatibility with the surrounding neighborhood.

### **CONCLUSION**

The proposed project conforms to the City's Subdivision regulations and the High Density Residential zoning standards. The General Plan Text and Map amendment from "Very High Density" to "High Density" and the zone change from "Multiple Family Residence Planned Development" to "Multiple Family Residence" allows the flexibility to develop an upscale residential community that can be planned for the proposed project site. A new and upscale apartment development in this area will provide new housing units to local residents, students, young professional singles, couples, and those seeking treatment at the Medical Center. Due to the buildings being sited over 125 feet from single-family homes, the proposed project is sensitive to the community and compatible with the surrounding development. The granting of this General Plan Amendment, Zone Change, and Conditional Use Permit would not be detrimental to the public welfare or injurious to the properties in the vicinity. The applicant has worked closely with City staff and has made every effort possible to come up with the most appropriate layout, design and architecture for this project.

The Mitigation Measures listed in the Initial Study will minimize the potential environmental impacts and are the responsibility of the applicant. They have been made part of the Conditions of Approval.

Respectfully submitted,



Raul Colunga  
Assistant Planner

### **ATTACHMENTS**

- A. Site Location Map
- B. Mitigated Negative Declaration (NOI/Initial Study)
- C. Conditions of Approval
- D. Site Plan
- E. Project Plans
- F. June 25, 2003 Planning Commission notes

**D 2**

Chair Rosenbaum commented that she had concerns regarding the long roofline and that she would like to minimize that look.

Mr. Art Martinez, Architect for the project, 2517 S. Townsend Street, Santa Ana, explained that the rooflines would be broken up with different pitches along the street and added that once the project was finished the effect of the long rooflines would be diminished because of the surrounding houses. Vice Chair Neff pointed out that the design guidelines required four-sided architecture.

Vice Chair Neff commented that because this piece of property was the last one that could be developed in the area stating he was unsure that this project was fully representative of the surrounding in regards to density.

A brief discussion ensued regarding Planned Community projects and popularity of larger homes. Vice Chair Neff pointed out that he didn't particular like Plan 2 and possibly 2R and suggested that these plans be revised. He commented that the change in the street design in regards to the cul-de-sac might change the look of this plan.

**Motion by Sakala, seconded by Rosenbaum and carried by a vote of 4-0, Christianson recused, to continue the item to the next Regular meeting of April 6, 2005 to allow the applicant to make the changes to the street design and to Plan 2.**

Mr. Younces asked if the project could be approved with conditions to provide the cul-de-sac and knuckle as stated during the discussion and as shown on the sketch provided. It was the consensus of the Commission that a discussion was still needed for the architecture of the project. Mr. Younces wanted to know what the concerns were in regards to architecture so that the applicant could bring back revised plans.

Chair Rosenbaum stated that she had already provided her comments regarding the long roofline of Plan 2 and recommended that each Commissioner provide staff with their own comments as they apply to architecture.

Chair Rosenbaum called for a brief recess at 9:20 p.m.

Commissioner Umeda stated that he was recusing himself in order to avoid a conflict of interest because his residence at 25510 Tulip Avenue in Loma Linda was within the 500' radius allowable.

The meeting resumed at 9:25 p.m.

Commissioner Christianson rejoined the meeting for the discussion of the following item.

**PC-05-11 - GENERAL PLAN AMENDMENT (GPA) NO. 04-05; ZONE CHANGE (ZC) NO. 04-05; AND CONDITIONAL USE PERMIT (CUP) NO. 05-01**

Assistant Planner Colunga gave the staff report stating that the applicants, Mr. Mark Goings and ACGI Corporation were requesting a General Plan Amendment, and a Zone Change for a proposed 60-unit apartment complex. He added that a Conditional Use Permit (CUP) was required to address the height of the three-story building, which measured 39 feet. He

continued his staff report citing that the subject site was a 3.39-acre parcel immediately west of Heritage Gardens at the southeast corner of Benton Street at Barton Road with access to the site off the Barton Frontage Road, which leads into Daisy Avenue.

Mr. Colunga stated that the property is zoned R3, Multiple Family and has a General Plan designation of High Density. The homes to the west were developed in the 60's and the Orange Tree Villas to the south were developed in the early 70's. He described the current project as follows:

- Five apartment buildings located towards the center of the site;
- A recreational building offering a multi-purpose room and a kitchen facility;
- A 20,000 square park space with barbecues, half basketball court, playground equipment, picnic tables and a trellis shade structure;
- One hundred and fifty-two (152) parking spaces in garages that have carriage style garage doors and open space parking, distributed throughout the project site;
- Two bedrooms apartments with four units per floor;
- Single car garages meeting minimum dimensions.

Mr. Colunga explained that a CUP was required to address the height of the three-story building, which exceeded the 35 feet height limit. He pointed out that Zoning Code Section 17.38.150 addressing multi-family buildings in excess of two stories next to R1 single-family homes had been met. He stated that the apartment buildings were plotted at a minimum distance of over 125 feet from the west property line and that a landscape plan had been provided showing trees at a minimum box size of 24 inches and shrubs in a 5 -gallon size.

Mr. Colunga stated that five letters of opposition had been submitted to the department. He added that staff had provided the findings for the General Plan Amendment, Zone Change and the Conditional Use Permit for their review. He suggested that the Planning Commission might consider making the project a gated community.

Mr. Colunga stated that staff recommended that the Planning Commission approve and adopt the Mitigated Negative Declaration, General Plan Amendment (GPA) No. 04-05; Zone Change (ZC) No. 04-05; and Conditional Use Permit (CUP) NO. 05-01. He added that staff was available for their questions.

Chair Rosenbaum opened the public comment period at 9:37 p.m.

Mr. Jon Zwart, 118370 Poplar Street, Loma Linda commented that he was greatly concerned about the increase in traffic created by adding 200 or more vehicles through Tulip Avenue to Anderson Street.

Mr. Bates D. Moses, 11399 Poplar Street, Loma Linda, stated that his yard would back up to the apartments and was concerned with noise issues because of the short setback. He added comments on traffic, and the height of the buildings that did not fit the surrounding community. He stated that he was not opposed to development but not this type on that piece of property.

Mr. Don Hamer, 2591 Daisy Avenue, Loma Linda expressed his concerns regarding the high density of the project and stated that the project was too big for the site. He added that there were no apartments on the south side of Barton Road and that this was a strange proposal. He concluded his comment by stating that he was opposed to the project.

Ms. Meaghan Balli, 11837 Poplar Street, Loma Linda commented on inadequate road access to the development, noise and traffic that it would create, the height of the buildings and that the community was more suited for families.

Mr. Gery P. Friesen, 25118 Daisy Avenue, Loma Linda, expressed his concerns regarding the street exit on Barton Road and Benton Street because there were already many accidents and pointed out that adding such a large number of new residents would undoubtedly cause even more. He suggested that the Commission deny the plan and replace it with plans for single-family residences.

Mr. Jonathan Mthombeni, 25175 Daisy Avenue, Loma Linda stated that he was concerned about the decline of property values if the project was approved and the rise in the crime rate. He added that he was opposed to the project because of density and the comments he previously made.

Mr. V.J. Solonick, 25718 Daisy Avenue, Loma Linda stated that he was a retired anesthesiologist and gave a brief history of the neighborhood. He pointed out issues of noise, proximity to existing homes and access to Barton Road.

Dr. Daniel Welebir, 11455 Poplar Street, Loma Linda commented on the following issues:

- The R-1 zoning provides for a peaceful street with personality
- Concerned about the change to high density
- The height of the buildings, proposed at 39 feet and the fact that the buildings are three stories which was unacceptable near single family residences
- Initial study is not adequate in that it doesn't address certain issues
- Does not want residents under Section 8;

He added that the major concerns are:

- Traffic
- The impact on existing residents of an additional street light
- The need for block walls behind garages
- The devastating decline of property values
- The view of the community.

He concluded by stating that he was opposed to the project and recommended that the Planning Commission deny the project.

Mr. Henry Lamberton, 11479 Richmond Road, Loma Linda stated that he opposed the project and that traffic was a real important issue.

Mr. Eddy Parker, 11375 Poplar Street, Loma Linda stated that he echoed Dr. Welebir's comments regarding traffic, etc.

Mr. Jonathan Zirkle, 24347 Barton Road, Loma Linda commented on the issue of the increase in traffic that such a large development on that site would generate especially along Benton Street and Barton Frontage Road. He also commented that the City needed to reduce the density of the projects that they approved.

Ms. Grace Carpenter, 25071 Daisy Avenue, Loma Linda provided a written comment that Chair Rosenbaum provided to the other Commissioners and into the public record. Ms. Carpenter

stated that she was distressed over the proposed apartments on her street because of the following issues:

- The height of the buildings;
- Traffic concerns;
- The decline in the property value of her home; and,
- The area south of Barton Road is considered quieter and more exclusive than the north side.

Mr. George Kopiloff, 11467 Poplar Street, Loma Linda stated that his concerns were reflected in comments from other residents that had already addressed the Commission.

Ms. Georgia Hodgkin, 24360 Lawton Avenue, Loma Linda commented on the following:

- Density – The site was not appropriate for apartments;
- Traffic – Wanted an EIR to mitigate traffic concerns;
- Zoning – Questioned the reason for the change in zoning. She advocated keeping the zoning for single family residential designation and not to accommodate developer profits; and,
- She commented that the Planning Commission should protect the interest of current residents.

Dr. Kathy Glendrange, 26551 Beaumont Avenue, Loma Linda cited from the Zoning Code, which states that zoning should be "compatible and harmonious" with the surroundings. She added that the developer should be made to comply with the standards and encouraged the Commission to deny the project.

Dr. Wayne Isaef, 24988 Lawton Avenue, Loma Linda reported that he had been at the grass root effort for the Hillside Initiative and could again be called on to do the same for other areas of the City of Loma Linda. He recommended that the zoning not be changed for a development with such a high density.

Mr. Robert Sanholm, 25123 Daisy Avenue, Loma Linda reiterated the views of previous speakers and added that the location of the apartments would not fit in with the existing residences especially for people who have small children. He stated that the intersection at Hillcrest was very dangerous and that he saw a general trend to high-density projects and asked why these projects were being approved when residents didn't want them.

Ms. Elaine Ringoot, no address, provided a written comment that asked about the patients at the Heritage Gardens stating that it was not fair to them because of the added noise generated by such a large apartment complex.

Chair Rosenbaum closed the public comment period at 10:31 p.m.

Mr. Bob B. Tuttle, Architect acknowledged the residents' comments especially regarding traffic issues on frontage road. He added that his experience has taught him that density did not affect property values as stated by some residents. There was a brief discussion regarding the differences between R-3 Zoning and R-3 Planned Development. Mr. Tuttle commented that they could change the height but would like to keep the style and design as presented in the application.



The applicant, Mr. Mark Goings, Progressive Health Care, 25271 Barton Road, Loma Linda stated that they had designed their project to comply with the current zoning and reiterated Mr. Tuttle's comment that they could reduce the number of apartments from 60 to 40 units and reduce the buildings to two stories if that's what the Planning Commission desired. He stated that the city was in need of multi-family housing and that these apartments would be luxury apartments for professionals.

Planning Commissioner Sakala spoke in opposition to the proposed three-story height, and traffic and stated that she feared multi-family residences and asked why rental units were being proposed and not single-family residences.

Commissioner Neff commented that he was concerned about traffic and the mitigation measures the applicant was planning. He continued to say that it was important to pay more attention to surrounding traffic patterns and that the improvement should be placed on the developer's plan. He added that he would appreciate the reduction in height of the five buildings.

Mr. Goings replied that he was ready to address all of those issues. He would reduce the buildings to two stories instead of three, which would reduce the number of apartments from 60 to 40 units with no loss of amenities. Mr. Goings also stated that he would be happy to add improvements to the traffic plan and commented that a new traffic light should be added to improve circulation at the intersection of Benton Street and Barton Road.

Mr. Jim Killean, Progressive Health Care, Palm Springs addressed the Commission to state that he had not intended to upset the residents in such a manner and that they considered themselves residents of Loma Linda. He added that they would retain ownership of the buildings and would manage the apartments to ensure that the quality did not decline after the units were rented out.

Commissioner Sakala suggested that the building could be turned into senior housing, which would probably take care of the traffic, noise and crime issues that alarmed the surrounding neighborhood.

Commissioner Neff stated that he had heard valid comments by the residents and the Planning Commission and added that he felt it was late and everyone was too tired to come to a resolution on the project. He suggested that the item be continued so that the developer could address the comments he heard. He urged staff to give the applicant insight on traffic and bring the project back before the Planning Commission.

Commissioner Sakala stated that she was appalled by the application and was personally offended. She asked Director Woldruff what steps the Commission needed to take to deny the project.

Director Woldruff explained that the Planning Commission had an obligation to give the applicant due process by reading the findings and giving reasons why the findings could not be made. City Attorney Holdaway explained that although the staff report suggested recommendations, the Planning Commission could make distinct findings with input from the Legal Counsel for a denial of the project.

Director Woldruff suggested that the Commission ask the applicant to revise his project and give him the opportunity to address the concerns of the Commission and the residents.

A discussion ensued regarding the findings as presented in the staff report and resulted in the following motion:

**Motion by Christianson, seconded by Sakala, and failed by a vote of 2-2, Umeda recused, to deny the project based on the following findings:**

1. **The proposed amendment was internally consistent with the Draft General Plan – Project required change in zoning, which would not be compatible and harmonious with the surrounding neighborhood;**
2. **The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City – Project would create noise and traffic for local residents;**
3. **The proposed amendment would maintain the appropriate balance of land uses within the City – Project would be inappropriate land use for that area of the City.**

After discussion the following motion was made:

**Motion by Neff, seconded by Rosenbaum, failed by a vote of 2-2, Umeda recused to continue the project to allow the applicant the opportunity to revise and present the project at the April 6, 2005 regular meeting.**

Director Woldruff commented that the Planning Commission could forward the project to the City Council without any recommendations.

**Motion by Christianson, seconded by Sakala, and failed by a vote of 2-2, Umeda recused, to forward the project to the City Council without recommendations.**

Commissioners Rosenbaum and Neff commented that such a recommendation would imply that the Planning Commission was incapable of fulfilling their mandate.

Further discussion resulted in the following motion:

**Motion by Sakala, seconded by Christianson, and carried by a vote of 4-0, Umeda recused to continue the discussion on the item until such time as the determination of Commissioner Umeda's proximity to the project was made and to allow the applicant the opportunity to revise and present the project at the regular meeting of April 6, 2005.**

#### **PC-05-12 - APPROVAL OF MINUTES**

**Motion by Sakala, seconded by Neff, and carried by a vote of 4-0, Umeda absent, to approve the minutes of August 25, 2004 as amended.**

#### **REPORTS BY THE PLANNING COMMISSIONERS**

No reports were presented

# **Attachment E**

**April 6, 2005 Planning Commission  
Staff Report**

# Staff Report

# City of Loma Linda

From the Department of Community Development

## PLANNING COMMISSION MEETING OF APRIL 6, 2005

**TO:** PLANNING COMMISSION

**FROM:** DEBORAH WOLDRUFF, AICP, DIRECTOR,  
COMMUNITY DEVELOPMENT DEPARTMENT

**SUBJECT:** General Plan Amendment (GPA) No.04-05, Zone Change (ZC) No. 04-05 and Conditional Use Permit (CUP) No. 05-01– A request to construct a 40 unit apartment complex proposed for a 3.4 acre site. The project is located west of the Heritage Gardens Convalescent Center, 25271 Barton Road, in the R3, Multiple Family Residence Zone

### SUMMARY

The project is a request to develop a forty-unit apartment complex on a 3.4-acre site on the Barton Frontage Road west of Benton Street. This a continued item from the March 2, 2005 Planning Commission meeting. The General Plan Land Use designation is correctly identified as High Density, 9.1- 13 units per acre.

### RECOMMENDATION

The recommendation is that the Planning Commission takes the following actions:

1. Adopt the Mitigated Negative Declaration (Attachment A); and,
2. Approve Zone Change No. 04-05 based on the Findings, and
3. Approve Conditional Use Permit No. 05-01, based on the findings and subject to the attached Conditions of Approval (Attachment B).

### PERTINENT DATA

Applicant:	ACGL Corporation and Mark Goings
General Plan:	High Density Residential (9.1 to 13 du/ac)
Zoning:	Multiple Family Residence (R3)
Site:	Rectangular vacant lot
Topography:	Sloping slightly down from the south to the north
Vegetation:	Contains annual grasses

Special Features: Immediately west of Heritage Gardens Convalescent Center

## **BACKGROUND AND EXISTING SETTING**

At the March 2<sup>nd</sup> meeting, residents spoke in opposition to the proposed three-story height, traffic, and potential depreciation in property values. The applicant agreed to reduce the 60-unit project by one third and eliminate the third floor. There are now 40 apartments proposed in two story buildings. The density is reduced from 17.6 to 11.7 dwelling units per acre.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) STATUS**

Please refer to the March 2, 2005 staff report (Attachment C). The previously completed Initial Study and its conservative estimates are now less intensive with the reduction in the amount of apartment units.

## **ANALYSIS**

### **Project Description**

The project plans have been revised to reflect the two-story design (Attachment D). There will be five, two story apartment buildings, with eight units in each. Apartment size remains the same at 1,054 square feet of living space and two bedrooms each. At 2.85 people per household, the project is estimated to generate 114 new residents. This represents a reduction of 57 residents, from the original proposal.

Parking standards require 2.5 spaces for each of the 40 apartments. A total of 40 garage spaces and 62 open parking spaces are provided for a total of 102 parking spaces, representing a reduction of 50 spaces from the 152 spaces originally proposed. There are ten garage buildings provided. Each has four single car garage spaces. Seven of the garages are plotted along the western boundary of the project to act as a buffer to the single -family homes to the west.

The applicant has provided an addendum to the traffic study from Willdan that reflects the reduction in units (Attachment E). It estimates 270 daily trips will be generated by the project from two driveways off of Barton Frontage Road/Daisy Avenue. The traffic impacts are reduced with the reduction in apartment units.

The project site plan has undergone minor revision. The apartment buildings have gone from 125 feet to now over 140 feet from the western property line, which is next to single-family homes that front along Poplar Street. Stairs will be used for access to the second floor. Elevators are not proposed for the project.

The 22,000 square foot park space in the middle of the project has been increased to 27,000 square feet. The recreation building and outdoor amenities remain the same.

### **Landscape Design**

The reduction in required parking allows for more landscaped area. On Page A-1 of the plans, specifications have been provided on the proposed playground equipment and monument sign at the west driveway entrance. Signage is not part of entitlement request at this time but will require Community Development staff approval at a later date.

### **Recommended Modifications**

Please refer to the March 2, 2005 staff report for the modifications suggested at the last meeting. Staff is pleased with revisions made to the overall project and plans. No other modifications are suggested at this time.

### **Public Comments**

One resident who spoke in opposition at the March 2<sup>nd</sup> meeting called in to ask about the availability of this staff report.

## **FINDINGS**

### **General Plan Text and Map Amendment Findings**

At the meeting last month, it was erroneously stated that the project site has a High-Density designation of 13.1 to 20 dwelling units per acre. The correct density is 9.1 to 13 dwelling units per acre. With this in mind, the project density has been reduced from 17.6 dwelling units per acre to 11.7 units per acre. As a result, the proposed project meets current zoning and density requirements. Thus, there is no need for a General Plan Amendment. The applicant has been advised of this and submitted a letter of request withdrawing his application for a General Plan Amendment.

### **Zone Change Findings**

Changes to the zoning ordinance and map are considered legislative acts and do not require findings. State law does require that the zoning be consistent with the General Plan. As previously stated, the General Plan text and map amendment have been withdrawn since the proposed project is consistent with the General Plan. The proposed "Multiple Family Residence" (R3) zoning district for residential development is consistent with the attached text for the proposed General Plan Land Use designation of "High Density Residential". The site is suitable for residential development under the "Multiple Family Residence" zone and the project would not cause substantial environmental damage or be detrimental to the public welfare. The change in zoning involves deleting the Planned Development designation.

### **Conditional Use Permit:**

The following findings must be addressed while considering a conditional use permit. Per Code Section 17.30.210, "The Planning Commission, in approving a conditional use permit, shall find as follows:"

1. *That the use applied for at the location set forth in the application is properly one for which a conditional use permit is authorized by this title;*

Multiple family residential developments are allowed in an R3 Zone subject to an approved CUP pursuant to Loma Linda Municipal Code (LLMC) Section 17.38.030(B). The proposed building height for the five, two story apartment buildings is 29 feet. This is six feet under the maximum allowable height of 35 feet. The applicant is providing 10 foot floors and the building is designed with a pitched roof. Thus, the architect is able to meet the 35-foot height requirement.

2. *That the said use is necessary or desirable for the development of the community, is in harmony with the various elements and objectives of the general plan, and is not detrimental to existing uses specifically permitted in the zone in which the proposed use is to be located;*

The site is zoned for Multiple Family Residence development. The project density is consistent with the 9.1 to 13 dwelling units per acre allowed under the current City General Plan. The project will be compatible with the multi family development that has occurred to the south of the project site and on the north side of Barton Road at Benton Street. Abutting the R1 zone to the west, the project has been designed so that buildings shall not exceed two stories within 100 feet of the subject boundary. The site plan illustrates that the apartment structures are over 140 feet from the west property line.

The project is consistent with General Plan Goal No. 5, which stresses the importance of open space for the well being of all citizens and identifies it as a necessary ingredient in the maintenance of a quality environment. The project proposes private recreational amenities and features that will enhance the lives of the future residents. General Plan Goal No. 4 states that the quality of living in Loma Linda is of paramount concern. The proposed expansion project is compatible with the surrounding residential areas and will not be detrimental to existing uses, pending compliance with the Conditions of Approval for the project.

3. *That the site for the intended use is adequate in size and shape to accommodate said use and all of the yards, setbacks, walls, or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses on land in the neighborhood;*

The site is adequate in size and shape to accommodate said use and meets all code requirements as listed in the LLMC, Chapter 17.38, R-3, Multiple-Family Residence Zone.

4. *That the site or the proposed use related to streets and highways property designed and improved to carry the type and quantity of traffic generated or to be generated by the proposed use;*

The proposed use has access from Barton Frontage Road/Daisy Avenue and can accommodate the type and quantity of traffic generated by the existing neighborhood and proposed apartment project. The layout of the proposed entrance and drive aisles into the site will help to alleviate any traffic constraints related to vehicles lining up to access the site from Barton Road and Benton Street intersection. Additionally, the project is providing 40 single car garages.

5. *That the conditions set forth in the permit and shown on the approved site plan are deemed necessary to protect the public health, safety and general welfare.*

The public health, safety and general welfare would be protected with the implementation of the project plans and Conditions of Approval for this Conditional Use Permit to insure compatibility with the surrounding neighborhood.

## **CONCLUSION**

The proposed project conforms to the City's Subdivision regulations and the existing High Density Residential zoning standards. The General Plan Text and Map amendment is no longer needed. The zone change from "Multiple Family Residence Planned Development" to "Multiple Family Residence" allows the flexibility to develop an upscale residential community that can be planned for the proposed project site. The apartment buildings are now sited over 140 feet from single-family homes to the west. The granting of this Zone Change, and Conditional Use Permit would not be detrimental to the public welfare or injurious to the properties in the vicinity. The applicant has worked closely with City staff to respond to concerns expressed by neighboring residents regarding design issues for this project.

The Mitigation Measures listed in the Initial Study will minimize the potential environmental impacts and are the responsibility of the applicant. They have been made part of the Conditions of Approval.

Respectfully submitted,

Raul Colunga  
Assistant Planner

## **ATTACHMENTS**



- A. Mitigated Negative Declaration (NOI/Initial Study)
- B. Conditions of Approval
- C. March 2, 2005 Planning Commission Staff Report
- D. Project Plans
- E. Addendum to Traffic Study

*I:\Project Files\PPD's\PPD 04-12 Mark Goings\Raul 04-06 PC Staff Report.doc*

# **Attachment F**

**June 22, 2005 Planning Commission  
Staff Report**

# **Staff Report**      **City of Loma Linda**

From the Department of Community Development

## **PLANNING COMMISSION MEETING OF JUNE 22, 2005**

**TO:** PLANNING COMMISSION

**FROM:** DEBORAH WOLDRUFF, AICP, DIRECTOR, <sup>DW</sup>

**SUBJECT:** Conditional Use Permit (CUP) No. 05-01 (Loma Linda Apartments) – A request to construct a 40-unit apartment complex on a 3.4-acre site located west of the Heritage Gardens Convalescent Center, 25271 Barton Road.

### **SUMMARY OF REQUEST**

The project proposes forty, two bedroom apartments housed amongst five, two story buildings. The project site is 3.39 acres and located west and adjacent to the Heritage Gardens facility (25271 Barton Road). The original submittal for the project was a Conditional Use Permit (CUP) because the request was for three-story buildings, which exceeded the 35-foot height limit. The project has been modified for two-story buildings and the CUP is no longer required. To avoid confusion, staff is continuing to use the Conditional Use Permit case file number; however, the project is being processed like a Precise Plan of Design (PPD).

Please note that the original project submittal also included requests for a General Plan Amendment and a Zone Change. However, these requests have been withdrawn because the project now complies with the densities allowed by the existing General Plan Land Use designation and zoning.

### **RECOMMENDATION**

Staff recommends that the Planning Commission take the following actions:

1. Adopt the Mitigated Negative Declaration and approve the Mitigation Monitoring Program; and,
2. Approve CUP No. 05-01 based on the Findings, and subject to the Conditions of Approval (Attachment A).

## **BACKGROUND**

The project was continued from the Planning Commission meeting of June 1, 2005 so that the applicant and his traffic engineer could address traffic and circulation concerns that were raised by the Commission and local residents.

## **ANALYSIS**

At the Planning Commission meeting on June 1, 2005, the following items of interest were brought up during the public hearing:

- Traffic
- Circulation
- Density
- Recap of May 22, 2005 community meeting

A site plan showing the cul-de-sac design that was discussed at the June 1<sup>st</sup> meeting is provided in Attachment B. The project engineer, Mr. Doug Goodman has also provided a written narrative about this alternative design in Attachment C, which would require an encroachment into the project site and require modifications to the project.

A conference call took place on June 13<sup>th</sup> between staff, the applicant, and the applicant's traffic engineer, Mr. Scott Bascikin of Willdan Associates. The topic discussed was the proposal to cul-de-sac the Barton Frontage Road at its terminus with Daisy Avenue. A second addendum to the original traffic study has been provided (Attachment D) that looks at the cul-de-sac proposal and provides trip generation numbers. After studying the cul-de-sac idea, the Fire, Public Works and Community Development Departments determined that they could not support the cul-de-sac proposal. The reasons are related to public safety (emergency access in and out of the neighborhood, and response time) and impairment of the local traffic circulation patterns.

As previously discussed, the Barton Road/Benton Street intersection is problematic because the Barton Frontage Road is too close to the intersection. The result is conflicting vehicle movements at the major intersection and traffic tie-ups on the frontage road for east and north bound vehicles. As indicated, the traffic problem at the Barton Road/Benton Street intersection is a condition that exists with or without the proposed project. The Traffic Study prepared for the project indicates that the traffic generated by the 40-unit apartment complex would add a minimal number of trips to the existing traffic volumes would not further exacerbate the existing condition. That being said, the applicant has identified a possible remedy that would actually help to alleviate the existing condition.

One solution proposed by the applicant is to redirect the traffic flow for visitors, vendors and employees of Heritage Gardens on that site. This would involve entering the west parking lot off Barton Frontage Road and exiting at Benton Street. The revised site plan

from the project architect shows this in Attachment E. The Fire and Public Works Departments have reviewed the revised site plan and the project has been conditioned to address the turning radius at the southwest corner of the Heritage Gardens facility. In addition, the revised parking layout for the west parking lot of Heritage Gardens has been revised to accommodate a turnaround for Ladder Truck 251, which is the largest fire apparatus that is used by the Fire Department (Condition 3.7). This involves providing an opening in the perimeter between the proposed apartment complex and Heritage Gardens, and would require some shifting of the parking areas on both properties to accommodate such an opening. In addition, the turning radius of the fire apparatus would require relocation of parking spaces on both sides of the property line.

The reconfiguration of parking spaces on the Heritage lot, reversal of the on-site traffic circulation pattern through the parking lot, and Fire Department requirements may result in the loss of some parking spaces. The existing parking for the Heritage Gardens site is 89 spaces, which is two more than the required 87 parking spaces. The apartment project requires 100 parking spaces and the plans indicate 102 spaces are provided. Since both properties are under the same ownership, a reciprocal parking agreement is a consideration to address potential parking loss. Staff has conditioned the project that a Small Project Application be processed for the Heritage Gardens to accommodate these changes (see Attachment F). However, staff acknowledges that the reconfiguration of the Heritage Gardens' parking and on-site circulation may require some fine-tuning by the project architect and engineer.

The applicant has provided a handout addressing some of the Planning Commission's concerns and the recap of the community meeting that took place on May 22, 2005 (Attachment G). The PowerPoint presentation shown during the meeting is included in the handout.

The findings and staff's recommendations are available in the April 6, 2005 Planning Commission Staff Report (Attachment H).

## **PUBLIC COMMENTS**

Letters of concern was received on June 15<sup>th</sup> from Thora & Victor Soloniuk of 25178 Daisy Avenue, and Elmer Kelln 25246 Lawton Avenue, who represents the Orange Tree Villas Homeowners Association (HOA)(Attachment I).

## **CONCLUSION**

Staff feels that the cul-de-sac proposal would hinder traffic circulation in the neighborhood and be detrimental to response times for safety personnel. For the reasons stated, staff does not support the cul-de-sac alternative.

The applicants have made considerable effort to address neighborhood concerns regarding traffic by providing alternatives and mitigations for consideration. They have identified a remedy for the existing traffic problem by proposing to reverse the traffic

flow and pattern for the Heritage Gardens facility. This would help to alleviate some of the traffic tie-ups and conflicts at the Barton Road/Benton Street intersection by redirecting the traffic generated by the Heritage Gardens' employees, venders, and visitors to the site. By implementing this remedy, the 40-unit apartment project would remain as proposed.

The project, CUP No. 05-01 is consistent with the General Plan and in compliance with the R-3 zoning and the Planned Development overlay zone. Staff recommends approval subject to the revised Conditions of Approval.

Respectfully Submitted by



Raul Colunga  
Assistant Planner

#### **ATTACHMENT**

- A. Revised Conditions of Approval
- B. Site plan with Cul-de-Sac
- C. Response from Doug Goodman, Project Engineer
- D. Addendum from Traffic Engineer, Scott Bascikin,
- E. Revised Site Plan
- F. Response from City Attorney
- G. Applicant project summary and responses
- H. Findings from April 6, 2005 Planning Commission Staff Report
- I. Letters of concern

I:\Project Files\CUP\05-01 Mark Goings\PPD 04-12 Mark Goings\06-22 pc rpt.doc

## **Attachment G**

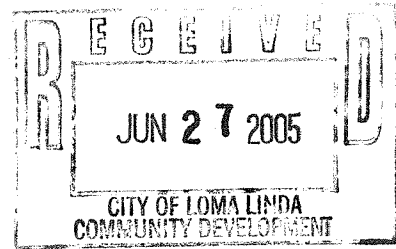
**Applicant's letter of requesting appeal**



## Progressive Health Care

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June 24, 2005



Pam O'Camb  
City Clerk  
City of Loma Linda  
25541 Barton Road  
Loma Linda, CA 92354

Dear Ms. O'Camb:

Mark Ward Goings, Inc., dba MGI Construction, Inc., on behalf of ACGL, A California General Partnership, is the project applicant behind Conditional Use Permit (CUP) No. 05-01.

We would like to submit this letter of appeal to the City of Loma Linda. We wish to appeal the decision of the Planning Commission at their meeting on June 22, 2005, denying our project with a 2-2 vote. We would like to be scheduled for an appeal before the City Council.

Should you have any questions regarding this request, please feel free to contact Jim Kilian or me at (909) 796-2595 or by e-mail at [Phc322@aol.com](mailto:Phc322@aol.com). Your response to our request is greatly appreciated. This response may be directed to me at Progressive Health Care, the management company for the project.

Sincerely,

Rosemary Estupinan  
Director of Business Relations

Cc: Raul Colunga, Assistant Planner – City of Loma Linda ✓  
Mark W. Goings – MGI Construction  
Jim Kilian



# **Attachment H**

**Draft Planning Commission Meeting  
Minutes of June 22, 2005**

# Minutes

# City of Loma Linda

*Department of Community Development*

## Planning Commission

A regular meeting of the Planning Commission was called to order by Chair Mary Lee Rosenbaum at 7:01 p.m., **Wednesday, June 22, 2005**, in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

**Commissioners Present:** Mary Lee Rosenbaum, Chair  
Randy Neff, Vice Chair  
Michael Christianson  
Charles Umeda  
Rene Sakala

**Commissioners Absent:** None

**Staff Present:** Richard Holdaway, City Attorney  
Deborah Woldruff, Community Development Director  
Rolland Crawford, Division Chief/Fire Marshall  
H.P. Kang, Senior Planner  
Raul Colunga, Assistant Planner  
Jeff Peterson, Associate Engineer, Public Works Dept.  
Jocelyne Larabie, Administrative Secretary

**Guest** RBF Consulting

### ITEMS TO BE DELETED OR ADDED

### ORAL REPORTS/PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

There was no public participation.

### CONTINUED ITEMS

#### PUBLIC HEARING

### PC-05-34 - CONDITIONAL USE PERMIT (CUP) NO. 05-01

Assistant Planner Colunga presented the staff report and stated that the project was a request for a Conditional Use Permit (CUP) No. 05-01 for a 40-unit apartment complex west of Heritage Gardens at Barton Rd and Benton Street. He explained that the project had been submitted in August 2004 and that the first public hearing was held on March 2, 2005 as 60 units in five three-story buildings. He added that a Conditional Use Permit was required at that time because the buildings exceeded two stories in height. Mr. Colunga clarified that the project

continued to use the designation of Conditional Use Permit; however, it was being processed as a Precise Plan of Design (PPD).

Mr. Colunga addressed the Commission on the following items:

- The project density at 11.8 dwelling units per acre was in compliance with the High Density designation of the existing General Plan, which allows 9.1-13 du/ac. As a result, a General Plan Amendment was no longer needed;
- The Zoning Map designated the parcel as R-3, Planned Development Overlay Zone that was part of Zoning Code Section 17.64. The project would comply with this Zoning designation. As a result a Zone Change was no longer being processed;
- The project had been revised to 40 units in five, two-story buildings;
- The issues in contention were: traffic, circulation, density, and the request to review the summary of the May 22<sup>nd</sup> community meeting;
- The applicant's project engineer, Doug Goodman drew the site plan with a cul-de-sac to address concerns of residents to the west. The design issues stemming from the new plan included public safety access, encroachment into the Barton Rd Right of Way, encroachment into the project site, drainage issues, and traffic circulation.

Mr. Colunga stated that City Staff could not support the concept of a cul-de-sac due to impairment of local traffic circulation and public safety response time. Public Works and Fire Departments had reviewed the concept. He added that the addendum to the traffic report that was provided by the project traffic engineer explained that traffic that existed at the intersection of Barton Rd and Benton St would continue with or without the project due to Barton Frontage Road and its proximity to Barton Road.

Mr. Colunga stated that the applicant had proposed a remedy to address traffic concerns by focusing on the Heritage Gardens property that would redirect the traffic flow from the property where visitors, vendors and staff enter on Barton Frontage Road and exit off of Benton Street.

Issues discussed in regards to the new proposal were:

- Redirection of the traffic flow would not impact the requirement for 87 parking spaces for Heritage Gardens or the 102 spaces required for the apartment complex;
- Request by the Fire Department that the design of the reconfiguration for Heritage Gardens allow a fire engine to make a turn at the southwest corner of the property. In the event that a ladder truck was called to the site, the Fire Dept. would enter off of the Frontage Rd and would require an opening between the Heritage Gardens property and the proposed apartment site to allow exiting of the ladder truck. The opening could be controlled with an emergency access gate and possibly a Knox box key system;
- Request by the City Attorney's that the applicant submit a Small Project Application to address the improvements for the Heritage Gardens site;
- Determination by the City Attorney who stated, in regards of the issue of Covenants, Codes and Restrictions (CCR's) that apartment complexes were permitted in the underlying R-3 Planned Development Overlay Zone in the Loma Linda Municipal Code section 17.74.410 and did not generally require CC&Rs. He did add that Conditions of Approval for the project might include a requirement for the City to approve a renters' policy manual that would serve some of the same purposes as CC&Rs would in a condominium situation.

Mr. Colunga explained that the applicant had provided a handout listing the concerns of the surrounding community, voiced at a neighborhood meeting organized by the applicant on May 22, 2005. He added that four additional comment letters had been received by the Community Development Department, one of which contained signatures from 46 residents asking for either a City Park, Single Family Homes or condominiums.

Mr. Colunga continued his report stating that the findings for the Conditional Use Permit were provided in the April 6, 2005 staff report. He added that the proposed project complied with the General Plan density designation and the multi family Zoning Code designation.

There was a prolonged discussion regarding redirecting traffic flow by realigning the parking lot of the apartment complex to allow circulation through the Heritage Gardens property, which would provide a wide entrance to their parking lot that could be utilized for the ingress and egress of emergency vehicles.

Director Woldruff explained that the applicant had suggested this solution to allow traffic, which would include traffic from their own facility to flow through the Heritage Gardens site and empty out onto Benton Street to relieve some of the circulation at the Daisy Avenue/Benton Street intersection.

Associate Engineer Peterson informed the Commission that he had not received the information that he had requested from the traffic engineer pertaining to the number of trips that ended at Heritage Gardens that would be offset by the applicant's proposal. He added that he had done research regarding the number of traffic accident at the intersection of Daisy Avenue and Benton Street and stated that there had been five collisions in the last 18-month period and none resulting in fatalities and two resulting in injuries. Mr. Peterson concluded that the intersection was well within the parameters for being safe.

On a question by Commissioner Sakala, Director Woldruff explained that when a project was submitted, staff looked for compliance and made recommendations based on what already existed in the Zoning Code and the General Plan and what was found through environmental study. She continued to say that the Planning Commission must use those factors and weigh them against the needs of the community and make a final determination using their best judgment.

The discussion continued regarding the establishment of findings, positive or negative, that would allow the approval or denial of a project.

Chair Rosenbaum opened the public comment period at 7:30 p.m.

Dick Wiley, 10848 Pepper Way, Loma Linda addressed the Commission and commented that he hoped that the Commission would address the issue of traffic and circulation for the Loma Linda University Medical Center's East Campus.

Bates Moses, 11399 Poplar Street, Loma Linda commented that the applicant had been cooperative at the neighborhood meeting, however the applicant had not changed the fundamental plan of the project. He added that apartments would not fit with the character of the neighborhood and suggested condos would be better.

Tom Hibbard, 11423 Poplar Street, Loma Linda spoke to the long history of development of the proposed project site. He also said that he did not consider the project appropriate for the

neighborhood and that he didn't appreciate walking out to his backyard and seeing the backs of parking garages.

Marion Carpenter, 25082 Daisy Avenue, Loma Linda commented on the project's impact of traffic on their homes, their comfort and stated that the issue of property values to benefit a single property owner had to be addressed as well.

Darby Parker, 11375 Poplar Street, Loma Linda reiterated the concerns of other residents about traffic going through their neighborhood and added that single family residences would be more appropriate.

Jon Zuart, 11370 Poplar Street, Loma Linda stated that he disagreed with Associate Engineer Peterson's assessment of the intersection. He added that he didn't consider the developer as a neighbor because two of them live in other cities. He also said that in the event that the project was approved, he would request the Commission to require at least 15-foot tall trees along the west side of the property, an irrigation line and low lying ground cover for the easement east of the property line, emergency lighting on the backs of garages. He concluded his comments stating that he was in favor of a cul-de-sac on the Frontage Road.

Ramiro Cazas, 11411 Poplar Street, Loma Linda asked that the Planning Commission take into consideration the fact that all the neighbors were opposed to the project. He added that he has been attending the Planning Commission meetings since the first one in March 2005 and that he had attended the neighborhood meeting and what he took away from those meetings was that the applicant wanted to control the land, along with the improvements on that land and get the best return on their investment. However, he added that the Planning Commission should consider the interest of the residents as well not simply the interest of a single property owner.

Chair Rosenbaum closed the public comment at 7:59 p.m. and invited the applicant to respond to the comments from the public.

Mark Goings, Vice President Operations, Residential Care Facilities, Progressive Health Care, 25271 Barton Road, Loma Linda stated that his family owned Progressive Healthcare. He commented that the only reason for the suggestion to connect the parking lot of the Heritage Gardens property and the proposed apartment complex was to change the flow of traffic and the striping to help ease the congestion.

Mr. Goings commented on the suggestion by the residents to construct condominiums instead of apartments, stating that he did not think the traffic would be any better than if apartments were approved. He pointed out that the setback requirements were greater for apartment buildings than for condos. He apologized if the residents perceived his comment as a threat because that was not his intention. Mr. Goings added that the City of Loma Linda had zoned the property R-3 - Multifamily some years ago and that the project he was proposing was designed to meet those standards.

Vice Chair Neff asked Mr. Goings to elaborate on the effect that the placement of garages might have on the view for existing residents and what other mitigation the applicant was planning. Mr. Goings stated that there were only a limited number of ways to layout the buildings and amenities on any particular site. He added that they had a 10-foot easement behind the garages and if the City would allow it, the applicant was prepared to add landscaping to embellish the area.

A discussion ensued regarding the benefits of building apartments vs. building condominiums and management issues relative to control over the renters in rental property. Commissioner Sakala withdrew her suggestion to build senior housing. Mr. Goings stated that the difference between building an apartment complex vs. single-family home was a question of economics.

Vice Chair Neff questioned Mr. Going on the neighborhood meeting on May 22, 2005, particularly on the issue of the basketball courts. Mr. Goings replied that he had no objection with the residents' suggestion to remove the basketball courts. Vice Chair Neff continued and asked about the idea of a gated complex and barrier on the south side of the project. Mr. Goings explained that the barrier would be placed between the property line of the proposed project and the Orange Tree Villas and he had no issues with placing a split-face concrete block wall in the area.

Commissioner Sakala wanted to know the benefit of a gated community. Vice Chair Neff replied that only the residents of the complex and their invited guests would have access to the area and this would cut down on traffic in some way.

Vice Chair Neff had a further question regarding the mitigation of the lighting. Mr. Goings replied that the current residents had concerns about lights shining in their backyards and that the plans called for lights pointing in the opposite direction. He added that lights could be added in the 10-foot easement to come on when someone was attempting to go through in the easement, as suggested by one of the homeowners.

Chair Rosenbaum re-opened the public comment period at 8:20 p.m.

Dr. Daniel Welebir, 11545 Poplar Street, Loma Linda stated that he knew that a decision was eminent and hoped that the Planning Commission would take the residents' comments into consideration and realize that the apartment complex project was not an appropriate solution for that vacant property. He conclude his remarks saying that he had spoken to 42 people who felt the same way he did and who did not want to see apartments go up so close to their neighborhood.

June Hibbard, 11423 Poplar Street, Loma Linda stated that she had strong feelings and concerns that the project was apartments. She also suggested that they leave the west side of the lot open and relocate those garages to another area of the site. She added that if a block wall was placed behind the garages, then an additional block wall should provide the residents on Poplar Street with additional privacy.

Verah Mthombeni, 25175 Daisy Avenue, Loma Linda stated that in the event that the apartments were built, the developer be held responsible for the depreciation on their property and asked to pay half. She continued to say that the traffic study had not been prepared appropriately and asked how the Fire Department would route its equipment.

Eddy Parker, 11375 Poplar Street, Loma Linda commented that the economics of the project should not be part of the discussion. He added that most of the neighbors voiced their concerns and didn't feel the applicant was a neighbor of theirs. He also commented that a gated community would not solve the problem. He concluded his remarks stating that he would support condominiums because people take care of condos because they own them whereas apartments bring in the wrong element into a neighborhood.

Chair Rosenbaum closed the public comment period at 8:34 p.m.

Director Woldruff suggested that the Commissioners review the Conditions of Approval and provide their comments and propose further conditions, if any. She added that Attorney Holdaway had suggestions for additional conditions.

Vice Chair Neff listed the items he would like to see added to the Conditions of Approval as follows:

- Removal of the basketball courts from the plans;
- Barrier between the proposed project and the south side of the area;
- Suggested gated complex.

Vice Chair Neff stated that he would like to see a combination of specifications be placed in the Conditions of Approval that would solve the overall concerns:

- Add language regarding the removal of the basketball courts from the plans;
- South barrier – In order to minimize the garages, relocate some to them and space them out to lessen the massing of the garages;
- Gated community – The other Commissioners did not want a gated community;
- On-sight lighting – Director Woldruff commented that as part of plan check process, the City did require a photometric study and layout to be provided;
- Mature trees in the easement if possible – Director Woldruff commented that the Southern California Edison Company did not typically allow for mature trees to be planted over underground power lines.

Commissioner Sakala requested that a lower density be discussed. Commissioner Christianson stated the he would support a density at the lowest portion of the scale. A discussion ensued regarding condominiums vs. apartments. Vice Chair Neff stated that he had seen a gamut of apartment dwellers but adjustments to certain areas such as a gated community, redirecting traffic, and the density might solve the overall problems of the project.

Vice Chair Neff stated that he would like to add a statement in the Street Improvement section of the Conditions of Approval regarding signage for entry on the Frontage Road. He added that he would like a consensus on the issue of density. Commissioner Sakala stated that the density should be on the lower end of the range and Commissioner Christianson agreed.

Assistant Planner Colunga proposed the following conditions of approval that would require a language change as a result of the modifications proposed by the Planning Commission.

#### Condition 1.18

The proposed recreational amenities shown on the site plan shall be revised to delete the proposed basketball court. The revised recreational amenities shall be installed and completed prior to first occupancies.

#### Condition 1.22

Outdoor drinking fountains shall be provided in the vicinity of the playground equipment and delete "half basketball court".

#### Condition 1.27

Motion sensor lights shall be placed on the backside of the west facing garages.

Condition 1.28

The applicant shall submit a photometric light study to address concerns of exterior lighting.

Condition 1.29

The applicant shall work with staff to redistribute garages located on the west property line.

Condition 2.15

Appropriate traffic signage shall be installed for proposed redirected traffic for the Heritage Gardens facility.

Attorney Holdaway referred to Condition 5.6 – Policy Handbook for apartment tenants should be reviewed and approved by the Community Development Department. He added that Mr. Colunga had addressed his other concerns.

Mr. Holdaway also suggested that language be added to address the gated emergency access between the between the Heritage Gardens east parking lot and the east side of the project and would read: "Shall have an appropriate easement for emergency vehicle use only as approved by the Community Development Department."

Attorney Holdaway suggested that the Planning Commission proceed with the recommendations that staff provided in the staff report.

**Motion by Christianson, seconded by Rosenbaum, with a vote of 2-2, Sakala and Christianson opposing, to adopt the Mitigated Negative Declaration and approve the Mitigation Monitoring Program; and Approve Condition Use Permit (CUP) 05-01 based on the Findings and subject to the Conditions of Approval as amended.**

Attorney Holdaway stated that a majority vote of 3 of 4 votes was necessary to approve any matter, and with a 2-2 vote the motion failed and was not approved. He added that the applicant had the option of appealing the failure of the approval process to the City Council and that no other action was required by the Commission. He continued to say the applicant had the right to file his notice to appeal within 10 days with the City Clerk.

**PC-05-35 - PRECISE PLAN OF DESIGN (PPD) No. 04-14 and VARIANCE (VA) No. 05-01**

Planning Technician Peñaflorida explained that the project was a proposal to construct a new 3,480 square-foot, two-story duplex on an existing 0.16-acre (7,151 square-foot) vacant lot located at 24590 University Avenue, between Evans Street and San Juan Drive. He added that each unit would have three (3) bedrooms and two and one half (2.5) bathrooms and 1,363 square feet of living area. He added that a variance request to waive the requirement for guest parking in the rear yard to maintain consistency with the R-2 and R-3 zoning designations for the parking requirement was submitted in conjunction with the project. Mr. Peñaflorida commented that the project was located in the Redevelopment Project Area and that a Development Agreement was required to address the Agency's affordable housing requirements.




# **Attachment I**

## **Heritage Gardens Project Information**

# FACT SHEET

## Parcel 0284191240000 - 3.3+ Acres

located West of Heritage Gardens Health Care Center  
on Barton Road in Loma Linda, California



### Research for Project –

1. Approximately two years ago, owners of the property met with the City of Loma Linda Planning Department to request suggestions for land use. The Department suggested apartments indicating, "Loma Linda is the only jobs-rich, housing-poor community in the Inland Empire."
2. Willdan\* did a traffic study on March 21, 2005, addressing the apartment project area in relation to a 40-unit complex. It was determined that the project would not cause a significant traffic impact to the area.
3. A survey was conducted of various apartment complexes in the surrounding communities on February 28, 2005. Of the 15 properties surveyed that have been built in recent years, the median rental price was \$1467, and average square footage was 1082.51 square feet for luxury apartments, which is what is being proposed.

### Previous and Current Plans for Land Use –

1. Late 60's – Proposal to build Loma Linda Community Hospital by Dan Cotton. Land was zoned commercial at that time. Due to opposition, application was withdrawn.
2. Early 90's - 39 Unit Condominium Project approved by Loma Linda City Council 1/8/91.
3. In early 2004, a meeting was held with the City of Loma Linda Planning Department regarding the idea of the Loma Linda Apartments. Due to the financial demands of owning the property, investors realized it was time to consider sale of the property or development.
4. May 22, 2005 – A community meeting was held at Heritage Gardens Health Care Center with 26 residents in attendance. Property owners discussed ownership and continued maintenance of development versus the selling of any development. It was pointed out that Heritage Gardens is a neighbor to the property as well, and has to be concerned for the well-being of the 150+ residents that call Heritage Gardens their home. Residents voiced their concerns and requests.
5. Current – it is the intention to own and build the apartment project so that owners may maintain a high standard similar to the one that has been maintained at Heritage Gardens over the years.

### History of Heritage Gardens (Health Care Center) –

1. Heritage Gardens has been part of the business community for 42 years.
2. Heritage Gardens contributes greatly to the community by paying property taxes, not only at Heritage Gardens but the vacant land as well. In addition, Heritage Gardens provides needed services to the senior community of Loma Linda and its surrounding communities. 33% of the employees live in Loma Linda and add to the financial viability of the city.
3. Ownership of land – Initially owned by Dan Cotton. The new partners joined Dan Cotton in 1991 with ownership rights to Heritage Gardens Health Care Center as well. No ownership changes in the last 14+ years.

\* Willdan is an engineering, planning, and financial management firm dedicated to serving the individual needs of cities, towns, counties, special districts, as well as state and federal agencies. Established in 1964, Willdan has offices throughout California, Arizona, and Nevada that serve more than 400 public sector clients.

# **Attachment J**

## **Letter of Opposition**

## Raul Colunga

---

**From:** Judith M. Strutz [jmstrutzdds@msn.com]

**Sent:** Monday, July 18, 2005 12:38 PM

**To:** Raul Colunga

**Subject:** proposed 40 unit apt complex

Dear Mr. Colunga,

My husband, Jon Vanderwerff, and I live at 11451 Hillcrest St., here in Loma Linda. We are out of town on the 26th of July (and therefore not able to attend) when the LL City Council will discuss APPEAL NO. 05-01-CONDITIONAL USE PERMIT (CUP) NP.05-01.

I just want to let you know my husband and I are VERY OPPOSED to the proposed apartment complex. We STRONGLY urge you to NOT to overturn the LL Planning Comission's denial of Conditional Use Permit No. 05-01.

Such a large complex is inappropriate in this area, and I (we) are very concerned with the traffic issues (among other things) which would occur with the proposed 40 unit apartment complex.

Thank you for your time in this matter.

Very Sincerely,

Judith M Strutz-Vanderwerff

7/19/2005

# UNIVERSITY REALTY Inc.

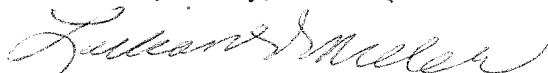
July 19<sup>th</sup>, 2005

Dear City Council, Members of The Planning Commission & Decision Makers:

Please do not approve Rental Apartments to be built South of Barton Road next to Heritage Gardens.

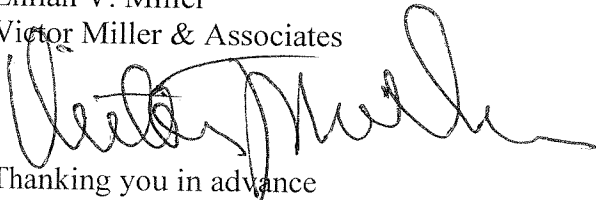
South of Barton Road is considered our "Upper Scale" single family home ownership residential area of Loma Linda. People buy the more expensive homes there because you as a council have kept it approved for that consistently over the years. It would not be fair to bring in rental apartments in that area for many reasons which are apparent. It does not fit the area. I know of not one neighbor within blocks of that area who would support such a downgrading change in that area. High quality home ownership only should be allowed there.

University Realty,

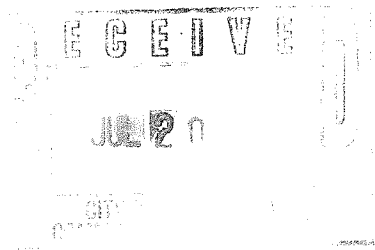


Lillian V. Miller

Victor Miller & Associates



Thanking you in advance



Lillian V. Miller, Broker